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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women (1990-1998)

Consideration of reports submitted by States Parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined fourth and fifth periodic reports of States parties

Ecuador*

* For the initial report submitted by the Government of Ecuador, see CEDAW/C/5/Add.23, which was considered by the Committee at its fifth session. For the second periodic report submitted by the Government of Ecuador, see CEDAW/C/13/Add.31, which was considered by the Committee at its thirteenth session. For the third periodic report submitted by the Government of Ecuador, see CEDAW/C/ECU/3, which was considered by the Committee at its thirteenth session.

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Introduction

1. On 9 November 1981, the Republic of Ecuador unreservedly ratified the Convention on the Elimination of all Forms of Discrimination against Women, which it had signed on 17 July 1980.

2. In March 1986, the Committee on the Elimination of Discrimination Against Women considered the initial report submitted by Ecuador in accordance with article 18 of the Convention (CEDAW/5/Add.23). Subsequently, in January 1994, the Committee considered the country's second and third periodic reports (CEDAW/C/13/Add.31 and CEDAW/ECU/3).

3. Now the Government of Ecuador is pleased to submit for consideration by the Committee, the fourth and fifth periodic reports on implementation of the Convention, covering the period 1990-1998, in accordance with article 18 of the Convention, and pursuant to the general directives contained in the document CEDAW/C/7/Rev.3.

4. The Government of Ecuador also submitted to the preparatory committee for the special session of the General Assembly entitled "Women in 2000: gender equality, development and peace for the twenty-first century," its report on application of the Declaration and Plan of Action adopted at the fourth World Conference on Women, held in Beijing in 1995.

5. With reference to the comments and recommendations made by the Committee on the Elimination of Discrimination against Women in January 1994, replies to the observations and concerns raised are contained in the text of this report, according to the specific article or area of action to which they refer. Nonetheless, given the importance or nature of certain questions, a brief outline is provided in this introductory section.

6. *Paragraph 541 of the Report of the Committee, concerning legal reforms to eliminate discrimination against women and promote their advancement.* On 18 August 1989, the National Congress passed Law 043 containing 81 reforms to the Civil Code. These relate to the legal status of women within marriage, the administration of conjugal property, mutual and responsible parenthood, marital rights and obligations between spouses, parental rights and termination of marriage.

7. *Paragraph 521, concerning comments by the Committee in relation to the absence of laws of positive discrimination in favour of women.* Recent legislation includes the Law to Combat Violence against Women, Children and the Family, the Employment Protection Act and the Free Maternity Reform Law.

8. *Paragraph 542, concerning the request to strengthen the National Agency for Women.* Executive Decree 764, of 28 October 1997, created the National Council for Women. This is an autonomous body under public law, with social objectives, attached to the Office of the President of the Republic. It has legal status, its own assets and managerial-financial regime, and its main function is to coordinate public policies on gender issues.

9. *Paragraph 544.* The Government of Ecuador strongly supports campaigns to prevent and punish acts of violence against women. In addition to enforcing the corresponding law, the State supports information campaigns, and the creation of Women's Commissariats (*comisarías*) – institutions that have backing from the legal system, the National Police Force and non-governmental organizations (NGOs).

10. *Paragraph 545, concerning involvement by different civil society actors and women's movements in the search for solutions to the problems of poverty and sex discrimination.* The State guarantees full participation to all sectors involved. The National Council for Women has civil-society representation on its board of directors, despite being a State agency.

11. *Paragraph 513.* As a result of the attention given to social and gender issues by the National Congress in recent years, Parliament has scrutinized and passed several bills regulating the rights of citizens of both sexes with respect to social benefits, and defining the institutional role of service-providing entities. It has also ratified international conventions on individual rights and social entitlements. Following creation of the Permanent Commission on Labour and Social Issues in the 1980s, other parliamentary commissions have been established since 1998 to analyse social issues such as: education and culture; women's issues, children and the family; and indigenous affairs. These commissions operate through interaction and consultation with the various civil-society stakeholders.

Part I

Territory and population

12. On 26 October 1998, the Presidents of Ecuador and Peru signed a protocol in the city of Brasilia, validating agreements reached by their countries' negotiating commissions to resolve the territorial dispute existing between them. Work to fix their common border began on 17 January 1999, in the sector of Lagartochocha-Güepí. As soon as the final landmark had been placed in the sectors of Cordillera del Cóndor and Cusumaza, Presidents Jamil Mahuad of Ecuador and Alberto Fujimori of Peru signed a presidential declaration formalizing establishment of the Ecuador-Peru border and bringing the corresponding peace accords into effect.

13. The capital of Ecuador is Quito. The country's political-administrative structure was altered in 1998 when the province of Orellana was created, and again in 1999 when the province of Sucumbíos was established. At the present time, the Republic of Ecuador is divided into 22 provinces: five on the coast, 10 in the Sierra zone, six in the eastern region and one covering the Galapagos Islands.

14. In 1997, the total population of the country amounted to 11,936,858 inhabitants – 5,940,490 women and 5,996,368 men. The 1990 population census put the total population at 9,648,189, of whom 50.3% or 4,851,777 were women. Figures for 2000 estimate the country's population at 12,592,480 million.[1]

15. The general fertility rate in Ecuador has declined in recent years, as the following figures show: [2]

Year	Live births per 1000 women of child-bearing age
1993	101.4
1994	97.9
1995	92.8
1996	90.0
1997	87.7
1998	84.7

16. The birth rate in Ecuador has also decreased, from 25.7 per 1000 inhabitants in 1990 to 22.8 in 1997. The mortality rate in 1990 stood at 4.9 per 1000 inhabitants, and by 1997 it had fallen to 4.4. The under-fives mortality rate was 5.5 per 1000 inhabitants in 1997, and had fallen to 5.2 per 1000 in 1998.[3] Despite the improvements recorded in the birth and mortality indicators, they are still not considered optimal.

17. Census figures record that 45% of the population of Ecuador was living in rural areas in 1990, and the figure was predicted to fall to 36% by the turn of the new century.

18. Nationwide in 1998, 465,860 women (18.8%) were heads of households, of which 147,631 (15.1%) were in rural areas and 318,229 (21.3%) were urban. A majority of the country's households are comprised of nuclear families – 65% in the cities and 61% in the countryside. Single-person households among the country's elderly population mainly consist of women.[4]

19. Although the country's official language is Spanish, Quichua, Shuar and the other ancestral languages are of official use for indigenous peoples. The State guarantees an intercultural and bilingual education system, using the language of the respective culture as the principal language of instruction, and Spanish for intercultural relations.

20. Article 23, paragraph 11 of the Constitution of Ecuador guarantees "liberty of conscience; liberty of religion, expressed in an individual or collective manner in public or in private. Persons may freely practise the faith that they profess, with the only limitations being those prescribed by the law to protect and (create) respect for diversity, plurality, security and the rights of others." Religion is not an indicator that is used in national statistics.

21. Since the early 1980s, the economic life of the country has been immersed in processes of stabilization, structural adjustment, State modernization, economic liberalization and, in general, creation of conditions enabling it to participate in the international market. Per-capita gross domestic product for recent years is shown below:[5]

[1] Source: National Statistics and Census Institute (INEC), 2000.

[2] Ibid.

[3] Ibid.

[4] Source: CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras, p. 9, 1999.*

[5] Source: Central Bank of Ecuador, *Economic Information System, 1999.*

Year	Per capita GDP (US dollaars)
1994	1,504
1995	1,571
1996	1,638
1997	1,655
1998	1,612

22. Economic growth averaged 3% in Ecuador during 1990-1997, but in 1998 the economy expanded at its slowest rate of the decade, growing by just 0.4%.[6]

23. Within the country's environmental sanitation systems, access to potable water was as follows:[7]

Year	Nationwide	Urban	Rural
1993	59.2%	75.0%	27.5%
1996	69.7%	81.5%	50.9%

General political structure

24. The powers of State are exercised by legislative, executive and judicial branches, supported by administrative and electoral control bodies. Legislative functions are performed by the National Congress, with headquarters in Quito.

25. Congress consists of two deputies per province, and an additional one for every 200,000 inhabitants or fraction thereof in excess of 150,000. Deputies are elected for four-year terms. The National Congress also has a president and two vice-presidents, who are elected every two years and enjoy parliamentary immunity in exercising their functions. In 1998, four out of a total of 20 national deputies were women, along with 12 of the 102 deputies elected by the provinces.[8]

26. The executive function is exercised by the President of the Republic, as Head of State and Government, responsible for public administration. The president is elected for a four-year term. The executive branch also encompasses the Vice-President of the Republic and Ministers of State.

27. The judiciary consists of the Supreme Court, ordinary courts, tribunals and magistrates courts as established by the Constitution and other laws, together with the National Judiciary Council. The Constitution provides for the appointment of justices of the peace, and creation of the Office of Ombudsman (*Defensoría del Pueblo*), including a women and children's division, with responsibility for ensuring equitable solution of individual, community or neighbourhood disputes.

28. The offices of Comptroller General, Attorney General and Public Prosecutor, along with the Civic Commission for Control of Corruption, and the various superintendencies, are all constitutionally recognized State control bodies.

29. The Civic Commission for Control of Corruption has legal status in public law, and acts on behalf of citizens to eradicate corruption. It receives complaints of illegal acts committed in State institutions and has the power to call for their investigation, trial and punishment.

30. The Supreme Electoral Tribunal is responsible for the organization of elections and all electoral processes, including those relating to the appointment of representatives to international deliberative bodies, in accordance with international conventions.

General regulatory framework for the protection of human rights

31. On 10 August 1998 the new State Constitution took effect, enshrining fundamental principles of protection and promotion of human rights on a basis of equality and non-discrimination.

32. In terms of programmes to promote a culture founded on principles of non-discrimination and the promotion and protection of human rights, in early 1998 the Ministry of Foreign Relations headed the process of designing the country's first National Human Rights Plan. The process involved numerous civil society organizations together with representatives of women, children and adolescents. The Plan was promulgated as a Law of the Republic through Executive Decree 1527, dated 18 June 1998, with the official text written in both Spanish and Quichua.

[6] Ibid.

[7] Source: Integrated Social Indicator System (SIISE), 1999.

[8] Source: Supreme Electoral Tribunal, 1999.

33. The National Plan is a State policy that transcends specific governments and people. For its practical application, 16 operational plans have been prepared, involving participation by 540 social organizations nationwide. The operational plans cover economic, social and cultural rights, together with collective and human rights pertaining to specific population groups, such as women. These are being worked on jointly by the relevant State institutions, in conjunction with civil society. Consultations are also being held with about 50 grassroots organizations, NGOs, labour unions, women's professional associations, representatives of the main currents of the Ecuadorian women's movement, and cooperation agencies working on women's behalf or with a gender focus. The aim is to ensure the trans-disciplinary effectiveness of this instrument in allowing full exercise of human rights for the women of Ecuador.

34. To protect the exercise of human rights, the new Constitution established the Constitutional Tribunal and Office of Ombudsman, as autonomous public bodies at the national level. Within the latter, the women and children's division has been working since 1998 on behalf of gender issues and the social-citizenship rights of children and adolescents.

Information and publicity

35. Domestic human rights organizations periodically disseminate national and international instruments relevant to their specific jurisdictions. Thus, for example, CONAMU has published the texts of the following: the Convention on the Elimination of all Forms of Discrimination against Women; the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women; the Equal Opportunities Plan: 1996-2000; "The Constitution gives you rights; you are no longer alone"; the Law to Combat Violence against Women and the Family; the Vienna Declaration and Program of Action; the Free Maternity Reform Law, among other publications.

36. The Ministry of Foreign Relations has also published the National Human Rights Plan and the Human Rights Operational Plan, in both Spanish and Quichua.

Part II

Specific information in relation to the articles of the Convention

Articles 1, 2 and 3

Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

37. Both the 1979 Political Constitution of the Republic of Ecuador, and the current one which has been in force since 10 August 1998, recognize equality of men and women before the law. The present Constitution states that "All persons are considered equal and enjoy the same rights, liberties and opportunities, without discrimination for reasons of birth, age, sex, ethnicity, colour, social origin, language, political affiliation, economic position, sexual orientation, state of health, disability or difference of any other nature."

38. Since 1998, efforts have been made to include a gender perspective in the design of future census forms, through interagency committees involving CONAMU and technical staff from the National Statistics and Census Institute (INEC). In addition, national bodies collaborated in the development of the Integrated System of Social Indicators of Ecuador (SIISE). This consists of two related systems – SIMUJERES and SINIÑEZ – which gather nationwide statistical data with a gender and children perspective.

39. In the civil domain, to contract liens on conjugal property, the "head" of the marriage enterprise or "conjugal society" must obtain written authorization from the other spouse. In the absence of this formal requirement, any such contracts are not executed or lose legal force. The conjugal society can be headed by either of the spouses by common agreement; but in the absence of explicit pronouncement, the husband is deemed responsible for its administration. Statistics show, however, that most conjugal societies are in fact headed by the man.

40. Under the new Constitution, it is a duty of the State to respect and enforce respect for human rights, on the basis of non-discrimination.

41. Article 17 makes the following declaration: "The State guarantees to all its inhabitants, without any discrimination, the free and efficient exercise and enjoyment of the human rights established by this Constitution and in the declarations, pacts, agreements and other international instruments in force. It shall adopt measures for the effective enjoyment of these rights through permanent and periodic plans and programmes."

42. Political participation by women has been on the increase in recent years. For the 1997 elections to the National Assembly, which drafted the new Constitution, the women's movement put up single candidacies, and total the number of women candidates was the largest ever recorded in the country's history. In general, these elections attracted broad popular participation, from male and female citizens alike, who had campaigned for many years on issues such as the environment, gender equity, social justice, pluricultural identity, human rights, respect for differences, the fight against poverty and corruption, promotion of economic, social and cultural rights, and upholding the democratic system, among other issues. These elements were incorporated into the new Political Charter.

43. On 11 December 1995, the Law to Combat Violence against Women and the Family was published in Official Register No. 839. This legislation typifies and sanctions physical, psychological and sexual violence against women and the family, and includes measures to protect victims of family violence.

44. This law contains important provisions establishing, among other things, that international instruments ratified by Ecuador, dealing with the prevention and punishment of violence against women, shall have legal force in the country. The law's basic principles are, mandatory procedural immediacy, rapidity and confidentiality, and the fact that it is free. Jurisdiction rests with family judges, women and family commissioners, regional governors, national commissioners, and political lieutenants, and with criminal judges and courts. The law also provided for creation of women's commissariats (*comisarías*), specializing in family violence.

45. The law requires members of the National Police Force and the Public Prosecutor's Office, along with

health professionals attached to hospitals or to public or private health centres, to denounce any cases of aggression that come to their notice, within 48 hours subject to liability for concealment. The police are also required to provide assistance, and to protect and remove a woman from an aggressor, as a preventive measure.

46. The protective measures provided for in this law represent one of the most important steps ever taken in Ecuador to protect victims of family violence. Relevant measures are applied immediately and include: expulsion of the aggressor from the house, re-establishment of the victim in her home, and prohibition for the aggressor to approach the victim's place of work.

47. The law also allows for the possibility of forced entry, where necessary, to apply protection measures in the following cases: to rescue victims or family members whom the aggressor is holding under threat, and to remove the aggressor from the house. Entry may also be made when the aggressor is armed or acting under the effects of alcohol or drugs, when he is threatening the woman, or threatening the physical, psychological or sexual integrity of other family members.

48. The Law to Combat Violence against Women and the Family does not provide for immunity, so no individual can claim exemption from sanction.

49. To ensure the exercise of human rights in practice, the Constitutional Tribunal and Ombudsman's Office (*Defensoría del Pueblo*) were created. Both of these are autonomous, public institutions at the national level, established in the Constitution. Within the Ombudsman's Office, a division for women and children was created on 29 November 1998. This works to promote gender awareness and uphold the social citizenship rights of children and adolescents of both sexes, with the same faculties as the General Ombudsman.

50. In 1995, the Office for the Defence of Women's Rights (ODMU), attached to the National Police Force, was set up in the city of Quito. This body maintains a police unit trained in issues of gender violence and human rights, and is responsible for implementing the provisions of the women and family commissariats (*comisarías*).

51. The second clause of the Law to Combat Violence against Women and the Family, gave the National Women's Department (today the National Council for Women CONAMU) faculties to make policies, coordinate actions and draw up plans and programmes to prevent and eradicate violence against women and the family. In addition, starting in 1995, a training programme has been implemented for judges and prosecutors; together with programmes to train, monitor and evaluate family commissariats; a training programme for local legal officers, and campaigns to disseminate women's rights. In order to achieve equity in the application of the law and avoid impunity for acts of violence against women, a project was implemented to mainstream the gender perspective in study programmes for law students at the country's 11 universities. CONAMU has created and is implementing a system for collecting data on complaints of family violence in each of the women and family commissariats.

52. Law 103 gives CONAMU a mandate to set up temporary shelters, refuges, and rehabilitation centres for family members that are victims of violence. There is also a commitment to programme, organize and implement educational activities for parents and family members, aimed at eradicating violence. To date, two shelters have been set up in Quito: the Home for Women Victims of Abuse attached to the National Institute for Children and the Family (INNFA), and the Refuge run by the Centre for the Advancement of Women (CEPAM). CONAMU itself funds operation of the Refuge for Women Victims of Abuse in the city of Tena, in Napo province.

53. Women's organizations that have specialized in gender violence can apply to act as technical counterpart for the Women and Family Commissariats, as provided for by the operating model of these institutions. They can also present projects to CONAMU to set up comprehensive legal support bureaux, and refuges providing medical and legal assistance.

54. Civil society, mainly in the form of women's organizations, has designed and carried out campaigns on: dissemination of women's rights; training and oversight of the application of the law; professional advice in integrated legal support offices; and in obtaining additional resources to fund commissariat operations.

55. Campaigns to disseminate women's rights focus particularly on certain cultural practices that contribute to the fact that many people still consider family violence to be a private matter.

56. A lack of State resources is the main obstacle to mass dissemination of policies and programmes against gender discrimination, and also prevent women's commissariats and public and private support centres from being set up.

57. During the eight years covered by this report, women have achieved increased participation in all aspects of national life, including the business, political and academic domains. This female presence has helped to reduce machismo attitudes, and has strengthened women's organizations in a variety of fields and interests. At the present time, women's rights are on both the public and the private agenda, as a result of their active participation in civil society.

58. Although discriminatory attitudes persist, these are now less prevalent in the public domain. Since 1990, there has been increasing female enrolment in education at all levels. During 1996-1997, percentage enrolment figures were as follows:[9]

Level	*Boys*	*Girls*
Pre-primary	52.8%	53.38%
Primary	66.16%	64.95%
Secondary	28.62%	29.72%

59. Article 41 of the Constitution of Ecuador provides for a specialized organism to execute policies to achieve equality of opportunity among women and men. Closely related to this is article 254, which states that the national planning system shall establish permanent national objectives in economic and social matters, taking account of the impact of such measures and including factors such as age, ethno-cultural, local and regional differences, and maintaining a gender focus.

60. The National Council for Women (CONAMU) has implemented the Equal Opportunities Plan (PIO) 1996-2000, with the aim of promoting equality between men and women. The plan singles out the following 11 areas for special attention: poverty, education and training, health, violence, the economy, participation in decision-making, human rights, communications media, environment, girl children, and institutional mechanisms for monitoring and evaluating the Equal Opportunities Plan.

61. In the education domain, a teacher-training programme, to promote non-discrimination at the basic education level, has been implemented for supervisors attached to the Ministry of Public Education, as part of broader curricular reform.

62. Since 1993, State modernization has promoted a variety of activities aimed at institutionalizing the gender equity network at the Ministry of Education, firstly through the National Women's Department (DINAMU) and later through its successor the National Council for Women (CONAMU).

63. Also in education, the design and implementation of the Equal Opportunities Plan for technical training, in coordination with the Professional Training Service (SECAP), is another area of work that has been set in motion.

64. The Equal Opportunities Plan was designed to be executed by the different State bodies, in conjunction with CONAMU and NGOs working for the advancement of women, with a view to joining forces to implement policies in the social area.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

65. In chapter 4 of the current Constitution entitled "Of Economic, Social and Cultural Rights", articles 47 and 54, in the section entitled "Of Vulnerable Groups", require priority attention for children, adolescents, pregnant women and persons with a disability, as well

[9] SINEC, Statistical Bulletin, 1996-1997 school year, No. 8 MEC.

as for those in situations of risk and victims of domestic violence, child abuse and natural disasters.

66. Ecuadorian legislation includes maternity protection. The Labour Code and the Social Security Act protect the right of pregnant women to work and to receive maternity benefits, as do the Employment Protection Act and legislation on maternity.

67. The Free Maternity Reform Law, published in Official Register No. 381 on 10 August 1998, establishes the right to quality cost-free health-care during pregnancy, confinement and post-partum, together with access to sexual and reproductive health programmes.

68. Official Register No. 124, of 6 February 1997, promulgated the Women's Employment Protection Act, which contains positive discrimination measures involving amendments to the Law on Political Parties, the Judicial Function Statute and the Labour Code.

69. Article 2 of the Employment Protection Act prohibits registration of multi-candidate lists with the Supreme Electoral Tribunal, in which women represent less than 20% of both principal candidates and alternates. Data furnished by the Supreme Electoral Tribunal, show that this requirement has been satisfied without difficulty in all provinces of Ecuador, according to reports submitted by the country's Provincial Electoral Tribunals. In the electoral processes held on 30 November 1997 (election of representatives to the National Assembly) and 31 May 1998 (general elections for President and Vice-President of the Republic, together with provincial and national deputies, provincial councillors and municipal aldermen) the level of female participation satisfied legal requirements.

70. The Employment Protection Act establishes that in superior courts at least 20% of presiding judges must be women, and at least 20% of their panel of judges, notaries, registrars and other court officials. The scope of compliance with this law encompasses presiding judges, other judges, notaries, registrars, secretaries, auxiliaries and even concierges. Court officials of this type are appointed through open competition based on merit and opposition. In some cases, however, it has not been possible to comply with the legally prescribed percentage because of a lack of women applicants.

71. Article 4 of the Employment Protection Act, states that female workers in the private sector may file complaints before the Inspector or Deputy Inspector of Employment, for hearing and resolution. Since this law has been in force, programmes have been implemented to disseminate the rights it upholds.

72. In Ecuador a number of plans for the advancement of women are executed under the general legal framework. These are implemented through the different ministerial portfolios (Government and Police, Agriculture and Livestock, Health, Education and Social Welfare), and include "focal points for the advancement of women", whose actions are coordinated through CONAMU.

73. At the civil society level, an area of consensus has been achieved by grouping together various women's movements and representatives from government decision-making bodies. In 1998, twelve bipartite commissions were set up to execute the Women's Political Agenda, which includes the Equal Opportunities Plan designed by CONAMU.

74. The Mother- and Baby-Friendly Hospital Initiative has strengthened the country's breast-feeding support programme. From 1992 until August 1997, 96 hospitals were certified out of the 141 chosen, and the initiative has been extended to local health service areas and to a dispensary belonging to the Ecuadorian Social Security Institute (IESS). Nonetheless, coverage of pre-natal control and institutionally attended childbirth remain at low levels in relation to the total population.

75. Owing to the fiscal crisis that affected the State during the 1990s, the practical scope of the Law to Support and Protect Breast-Feeding (promulgated in November 1995) has been limited. The same is true of other programmes to promote breast-feeding, despite creation of the National Council for the Support of Breast-Feeding (CONALMA).

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function

and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

76. Article 37 of the Constitution declares that "The State recognizes and protects the family as the fundamental cell of society and guarantees it conditions that favour the integral attainment of its ends. These [conditions] consist of legal or factual bonds and are based on equality of its members' rights and opportunities. It protects marriage, maternity and family property. It equally supports women who are heads of households. Marriage is based on the free consent of the contracting parties and on the equality of rights, obligations and legal capacity of the spouses."

77. The Constitution also promotes the integral development of children and adolescents of both sexes in their capacity as subjects at law. Article 50 requires the State to take measures to ensure the welfare of children and adolescents in various domains. The aim here is to ensure children are protected against the negative influence of communications media that disseminate or promote violence, racial or gender discrimination, or the adoption of false values (article 23, subparagraph 3; and articles 40, 41, 49 and 50).

78. The Council for the Development of the Nationalities and Peoples of Ecuador (CODENPE),[10] runs programmes to disseminate human rights and the rights of indigenous women. It has held workshops in several places, including Cañar province, Parroquia General Morales, Cantón Suscal, Parroquia Chontamarca and Parroquia Zhud.

79. The National Government strives to raise awareness of human rights through the communications media. One positive development is that a television channel in the city of Guayaquil has established itself as communications medium for the promotion of human rights. CONAMU broadcasts publicity on gender equity with collaboration from the National Association of Television Channels.

80. Changing mentalities is a complex process in a multiethnic pluricultural country, where sexist practices are deeply rooted in tradition and customs. The condition of women and the consequent transmission of values varies according to geographic location and the cultural medium involved. For example, indigenous women tend to pay more attention and give higher priority and importance to the daily needs of the family, than men do. Women raise children; but at the same time they are responsible for working the land and ensuring the survival of the family and their group. This involves a variety of mechanisms, including obtaining production loans.

81. Although there are many female social communicators working in the media, there is still much to do to alter the standpoint of news analyses, and their conceptualization and presentation; and, in general, the programmes broadcast through the different media, especially television.

82. Gender-specific job advertising still persists in Ecuador, especially in regard to domestic service. The National Institute of Employment (INEM) uses the National Statistics and Census Institute (INEC) as its statistical source. Between 1990 and 1997, statistics show that women working as domestic servants accounted for 13% of the economically active female population, with a similar percentage of women working as secretaries and administrative assistants.

83. In conjunction with NGOs and international cooperation agencies, CONAMU has been responsible for the design, planning and implementation of a variety of mechanisms aimed at eliminating sex stereotypes, including publicity campaigns, the creation of media awards and contests that invite collective reflection on this subject.

84. From 1996 to the present day, the National Women's Department (DINAMU), now known as CONAMU, together with the Ministry of Education and Culture (MEC) and other State bodies, have been collaborating closely to include the gender perspective and change stereotyped schemas in school textbooks, as part of the wider curricular reform process. In the legislative domain, a working group has been set up to incorporate the gender perspective into the General Education Act. This has also involved government agencies and NGOs, supported by the Parliamentary Commission for Women, Children, Youth and the Family. The Ministry of Education drew up a national plan for implementing the Law on Education for Love

[10] CODENPE is the body responsible for developoment planning for the nationalities and peoples of Ecuador. It was established through Decree 386 in Official Register No. 86, on 11 December 1998.

and Sexuality, with a view to including this in study plans and programmes at the different levels.

85. The "Muchacho Trabajador" Programme (a State institution that arose from a special programme run by the Central Bank of Ecuador) broadcasts short television commercials transmitting the concept of "democracy" based on the equality of children and adolescents of both sexes. These aim to eliminate stereotyped prejudices and practices in male and female roles, and inculcate a sense of co-responsibility in the home.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

86. Articles 50, and 23, paragraph 2, of the Constitution require the State to take measures to protect children and adolescents against trafficking in minors, prostitution, pornography, sexual exploitation, etc.

87. The section of the Criminal Code dealing with sexual offences includes a chapter on "corruption of minors, pimping, and offence against public morals." In 1998, the Constitutional Tribunal passed a resolution to suspend the effects of Criminal Code articles typifying and sanctioning homosexuality as an offence (articles 521, 522, 523, 525 and 526 of the Criminal Code).

88. These articles infer that prostitution is prohibited. Nonetheless, the same legislation recognizes its existence in a veiled way by stating that sanctions will be applied to anyone promoting it, "unless that person is the manager of a brothel established in accordance with the regulations laid down by the authorities for such establishments."

89. As regards HIV/AIDS infection among women, notified cases are evenly distributed between those who are sex workers and those who are not. The ages of cases reported also seem to support this, with the former group ranging on average between 18 and 23 years of age, and the second from 22 to 27. Both the clients of sex workers and their partners are at risk from infection.

90. In Ecuador the rate of HIV/AIDS infection in 1998 was one person infected for every 6,000 inhabitants nationwide. In some places (El Oro province, for example), the number of cases is estimated to double every three years. The ratio of men to women infected is 7 to 1, according to cases notified (in 1994), but by 2000 the relation is expected to be one-to-one.[11]

91. Between 1984 and 1998, a total of 1,850 cases were registered, of which 921 were AIDS cases and 929 were HIV infections. A breakdown by risk factor places heterosexuals at greatest risk, followed by homosexuals, bisexuals, unknown and, lastly, prostitution. The provinces with the highest rate of AIDS cases and HIV infection are Guayas, Pichincha, Manabí, Azuay, El Oro and Los Ríos.[12]

92. No research on the sexual abuse and prostitution of children has been published during 1990-1998. In June 1996 an interagency committee comprising UNICEF, PAHO, DNI Ecuador, and Fundación Chicos de la Calle, drew up an action proposal to prevent the sexual exploitation of children and adolescents of both sexes. This was not implemented, however, because of a lack of funding.

93. Research into the reality of women practising prostitution is inadequate. The prevalence of sex work is believed to be increasing daily, even among minors, despite measures promoted through a variety of public and private mechanisms. These include the Ministry of Health and Welfare, which promotes interventions providing prophylactic control and medical attention for sex workers at NGO-operated assistance centres.

94. Approximately 33% of all female sex workers are subjected to periodic prophylactic control by the Ministry of Public Health. This consists of a gynaecological examination, together with tests for sexually transmitted diseases (STDs) and AIDS. This guarantees their health to some extent.[13]

95. A project for prevention of HIV/AIDS among female sex workers has been operating since 1998, with participation from institutions such as FEDAEPS, Fundación Esperanza, the Ministry of Social Welfare, the Communications Office of the Ministry of Public Health, the Asociación por el Bienestar de la Mujer

[11] UNICEF, "Situación de los Ninos, Adolescencia y Mujer en el Ecuador" Ecuador, 1999-2003.

[12] Ibid.

[13] Report "Prevención del VIH entre Trabajadoras Sexuales", Ministry of Public Health, 1999.

Libre (Santo Domingo de Los Colorados), the Asociación Primero de Agosto (Guayas), the Asociación de Mujeres Autónomas 22 de Junio (Machala), and the Asociación pro Defensa de la Mujer (Quito).

96. At the initiative of "Feministas por la Autonomía", the first Women's Sexual Rights Tribunal was created to consider violations of such rights and establish precedents for upholding them before the competent bodies. The objective of the tribunal is to help build democratic practices by including sexual rights in the exercise of citizenship among the women and girls of Ecuador.

97. During preparation of the National Human Rights Plan in 1998, homosexuals and transvestite groups prepared a chapter aimed at removing obstacles that still prevent them from being respected as human beings, as a result of police repression and social condemnation. A variety of homosexual organizations take part in programmes aimed at improving their conditions of life and lobbying for State measures to deal with social problems such as AIDS.

98. One of the main problems confronting the State is economic. This has made it impossible to execute systematic and structured programmes of information and education targeting this population group, especially with a gender perspective. Prevention programmes for female sex workers are usually limited to handing out condoms.

99. There are a number of protection institutions in Ecuador attached to the Ministry of Social Welfare, but these are inadequate in relation to the problem of prostitution and the sexual exploitation of children. The Instituto Profesional Femenino Buen Pastor, located in the metropolitan district of Quito, provides protection for girls and adolescents. In 1998 it catered to the following:

- Twenty girls who were pregnant and/or with children.
- 33 girls that consume cocaine in the form of inhalants, pills or paste, 10% of this group being classified as habitual consumers.
- 66 girls that consume alcohol, 50% of whom are alcoholics.
- 18 girls who have been victims of rape; and
- 40 girls who have been victims of sexual harassment.[14]

100. There are no data on prostitution involving homosexuals or transvestites, who, following repeal of the law making homosexuality a criminal offence, have begun to emerge publicly in organizations defending their rights as sexual minorities. The latter are currently referred to in terms of "sexual orientation and identity".

101. In Ecuador 15% of sex workers are organized in associations. The substantive actions, demands and proposals of such organizations include fighting to uphold their rights as human beings, and providing mutual support, solidarity between women, and so forth.

102. The existence of formal and informal networks providing support services for female sex workers, at both national and provincial level, guarantees respect for their rights. Projects to help them obtain decent jobs, albeit of low coverage as yet, enable women benefiting from them to regain their self-esteem and economic autonomy.

103. In December 1997, the National Police Department for Children and Adolescents (DINAPEN) was set up. This is a technical-administrative mechanism for conducting police actions and operations relating to prevention, intervention and investigation of situations of risk or violation of the rights of children and adolescents.

104. In February 1998, the General Education Bureau of the National Police Force, DNI-Ecuador and Rädda Barnen of Sweden, in conjunction with the National Institute for Children and the Family (INNFA) and UNICEF, ran a training programme for the Ecuadorian National Police Force on social aspects, rights and legislation pertaining to the country's children and adolescents. One of its main thematic areas has been sexual exploitation.

[14] Youth Guidance Centre "Virgilio Guerrero" attached to the Ministry of Social Welfare; publication "Revista El Amigo"; statistics 1998, No. 25, 1999, run by the religious group "Religiosos Terciarios Capuchinos".

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

105. Article 99 of the Political Constitution of Ecuador provides for the election of the country's leading authorities ("*dignidades*"). Article 102 provides for equitable participation by men and women as candidates. In this regard, the Constitution's seventeenth transitory provision, entitled "Of Elections" states that "Women shall have a twenty percent participation in the lists of candidates for multi-person elections." According to data provided by the Supreme Electoral Tribunal, this provision has been complied with without difficulty in all provinces of Ecuador.

106. The two most recent electoral processes were held on 30 November 1997, to elect representatives to the National Assembly, and on 31 May 1998, to hold general elections for President and Vice-President, together with provincial and national deputies, provincial councillors and municipal aldermen.

107. In 1998, women's share of judicial positions was as follows:[15]

Post	*Percentage held by women*
Presiding judge in superior courts	5.0%
Ordinary judge in superior courts	9.4%
Judge in district tribunals	6.1%
Presiding judge in criminal courts	6.1%
Ordinary judge in criminal courts	13.4%
Public defence counsel	18.2%
Civil judge	13.8%
Rent tribunal judge	55.6%
Criminal court judge	10.7%
Labour tribunal judge	33.5%
Judge in traffic offences	13.5%

[15] CONAMU and INEC, *Mujeres y hombres del Ecuador en Cifras*, 1999, p. 59.

108. The regulatory body for human resources in public posts during 1990-1998 was the National Secretariat for Administrative Development (SENDA). But this organization was replaced by the Office of Civil Service and Institutional Development (OSCIDI), as part of the public-sector restructuring carried out by the Constitutional Government of Dr. Jamil Mahuad Witt (10 August 1998). There is no sex discrimination in public-sector appointments, which are governed by the provisions of the Civil Service and Administrative Career Act.

109. To ensure gender neutrality in staff performance appraisal systems, chapter XII of the Civil Service and Administrative Career Act, entitled "Appraisal of Service", provides as follows: "In the National Staffing Directorate an annual appraisal will be instituted and administered in order to provide incentives to civil servant performance."

110. In their periodic reports for 1990-1998, the country's five largest union confederations report that women have active participation within their institutions.

111. The Employment Protection Act, which was passed on 6 February 1997 and published in Official Register No. 124, provides for positive discrimination measures.

112. The application of this law, without having established a system of alternacy, and given the system of quotas per province, prevented greater representation of women in Parliament at the most recent congressional elections (May 1998). Nonetheless, women's participation was then at its highest level in the country's history (16 women deputies between the national and provincial levels).

113. Despite scant female presence in the top decision-making posts, a feature of the 1990s have been the presence of women in the public domain. There has always been at least one female minister in the governments that have held office since 1990. Regional

governorships and mayoralties have also been held by women. In 1998, four women held ministerial office (Finance, Education, Tourism and Environment). It was also significant that the woman appointed as finance minister also held the post of Minister of Government and Police for the first time. In addition, several other women held highly influential appointments in economic and social planning and public-policy making.

114. As part of this process, for the first time in the country's history two women candidates ran for president in the most recent presidential elections in 1997. One of these headed her own movement having previously been Vice-President of the Republic. The other represented a party that has been ever-present since the return of democracy in the last 20 years. Neither candidate obtained above 5% of the total vote.

115. Another feature of electoral developments since 1990 has been participation by movements formed around sectoral needs rather than political ideologies. Two illustrative cases are indigenous and women's movements; both have obtained seats in Congress, and their representatives have held ministerial posts.

116. An indigenous woman deputy held the post of Vice-President of the National Congress for the first time between 1998 and 2000.

117. In 1998, 27% of government posts at ministerial rank were held by women, and the top job of State Attorney General, which is autonomous from other State powers, was held by a woman for the first time. Women also hold the posts of Ombudsman for Women and Children and Ombudsman for Consumer Rights.

118. Important mechanisms for domestic political development were created in 1998, including the Special Anti-Corruption Commission and the Special Commission for Constitutional Reform, which have been established with major female participation. In the private sector, there are growing numbers of women in top managerial posts in private-enterprise development bodies, non-governmental organizations, chambers of commerce, and industry and trade associations.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

119. Under the Foreign Service Statute there is no discrimination in entry to the diplomatic career. The selection process for future diplomats is open and decided by nationwide contest.

120. An important institution in this area is the "Antonio J. Quevedo" Diplomatic Academy, which aims to maximize the capacity of Ecuador's foreign service, by enhancing knowledge and providing specialized training for its members. As the body responsible for organizing recruitment, selection, registration, control and appraisal of both teaching staff and applicants, the Diplomatic Academy makes sure that the process of evaluating the young professionals who apply to the foreign service is conducted on a non-discriminatory basis.

121. In order to attract a larger number of candidates, admission tests are held not only in the nation's capital, but also in the city of Guayaquil when circumstances permit. Following these examinations, a group of professionals is selected that then has to pass the training course in the "Antonio J. Quevedo" Diplomatic Academy. This is followed by a period of internship leading to confirmation as third secretaries in the foreign service.

122. The class of 1989-1990 included five women out of a total of 15; from the 1990-1992 class, five women entered the foreign service out of a total of 12 students. In the 1992-1993 period, there was one woman entrant from a total of 12. In 1993 two women entered the service, and in 1995-1997 five. In 1997-1998, six women out of a total of nine students entered from the Diplomatic Academy.[16]

123. The number of female career diplomats of different rank in 1990 and 1998 is shown below:[17]

Rank	*1990*	*1998*
Ambassadors	2	4 (including one under-secretary for international bodies)
Ministers	1	4
Counsellors	3	8
First Secretaries	6	9
Second Secretaries	10	8
Third Secretaries	6	10

[16] Source: Ministry of Foreign Relations, Bureau of Human Resources.

[17] Ibid.

124. Although there is no discrimination under the law, and women can enter the foreign service with equal opportunities, for cultural, traditional and family reasons it is more difficult for women to coordinate their personal and professional lives in this field.

125. In 1989, 7.1% of diplomatic posts were held by women.

126. In 1998, 50% of participants in the diplomatic training course were women. In 1994, of 69 ambassadorial posts, three were held by women (4%). In the same year, 45 out of a total of 305 diplomatic officials were women (15%), along with six out of 33 consular officials (18%).

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

127. In accordance with articles 6, 7, 8, 9 and 10 of the Constitution, there is no discrimination on grounds of sex as regards the right to maintain Ecuadorian nationality or to acquire a different one.

128. The Civil Code also addresses this issue in its articles 57 and 58, which define the domicile and nationality of spouses. The Naturalization Act recognizes equality of women and men in applications for naturalization in this country.

129. At the present time, thanks to reforms made to the Civil Code of 1989, which abolished the requirement for the woman to reside at her husband's domicile, spouses may jointly decide where they choose to live, even in marriages between Ecuadorian nationals and foreigners.

130. The present Constitution repealed article 19 of the Naturalization Act, which stated that if an "Ecuadorian became naturalized in another country, thereby acquiring another nationality, the wife and under-age children would also lose Ecuadorian nationality; but they would retain the right to recover their original nationality should the marriage terminate, or when they themselves reach the age of majority."

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

131. The present Constitution, in its eighth section entitled "Of Education", establishes several State responsibilities, and provides for parental participation.

The main reforms relate to promotion of gender equity and coeducation by the State. The State guarantees equal access opportunities to higher education, and participation by parents in the development of educational processes. All educational levels promote the teaching of rights and duties of Ecuadorian citizens.

132. Ministerial Resolution 1443, of 1996, reformed the organization of the education system.

133. Through Ministerial Agreement No. 0118, dated 31 August 1993, the Ministry of Education and Culture gave official status to the intercultural bilingual education model, and the corresponding study programme for basic education.

134. Creation of the Intercultural Bilingual Directorate gave official recognition to the country's cultural and ethnic diversity, thereby facilitating the use in education of the native language of each ethnic group. Since 1994, the intercultural bilingual education programme has trained indigenous teachers to work among their respective populations in any of the ten languages that coexist in Ecuador. This is a process that has achieved some specific successes, but still needs to be consolidated.

135. In 1995, it was estimated that 6.5% of the rural population spoke the Quichua or Shuar native languages on a mono- or bilingual basis, and almost one in 10 rural inhabitants (9%) belonged to a household in which an indigenous language was spoken. More women than men speak an indigenous language in rural areas, with a slightly higher percentage of women speaking Quichua or Shuar. In the Sierra zone, 16% of indigenous women only speak Quichua, whereas only 3.5% of men are monolingual.

136. Since 1990 there has been increasing participation by female students at the various education levels, and this is the area in which Ecuadorian women have achieved most progress in recent decades. This is partly due to the expansion of the public education system throughout the country, making it possible for new generations to enter primary and secondary school. Nonetheless, the improvement has not been uniform for all Ecuadorian women and girls, and differences still persist between women living in the cities and those living in the countryside.

137. The State bears a large part of the financing of education in rural areas, covering 91.7% of staff, 88.4% of teachers and 92.1% of students.[18]

138. In 1996, Ministerial Resolution No. 1443 reorganized the educational system, as follows:

Basic education. This entails 10 years of study, of which the first year corresponds to pre-primary education (prior to the reform this was optional), 2nd to 7th grade corresponding to primary education (previously 1st-6th grade), and 8th-10th grades corresponding to the basic cycle (previously known as first, second and third classes).

High school (bachillerato). In addition to the basic cycle, this encompasses classes 4-6 (previously students chose a specialization as from class 4).[19]

139. Curricular reform stems from this educational reform and is being applied nationwide, for male and female students alike. By 1999, training had been provided to 95% (139,809) teachers on general aspects of the reform. Specific training remains to be completed to reach the classroom.[20]

140. In the 1990s, the Ministry of Education developed and continues to maintain a nationwide school meals programme, which aims to improve the quality and efficiency of basic education by distributing a dietary complement for boys and girls from the most poverty-stricken areas. This is intended to raise their capacity for learning, as well as encourage regular attendance at classes.

141. As shown in the following table, illiteracy rates increase with age, according to the third round of the Standard of Living Survey (ECV-98):[21]

[18] SINEC, Statistical Bulletin, 1996-1997 school year, No. 8, Ministry of Education and Culture (MEC).

[19] Consensus-based curricular reform proposal for basic education, 1996, MEC.

[20] Idem.

[21] CONAMU and INEC, *Mujeres y hombres del Ecuador en Cifras*, 1999.

Age group (years)	Illiteracy rate	
	Female	Male
15-24	3%	2.7%
25-39	6.2%	3.8%
40-64	19.4%	13.1%
65 and older	42.7%	30.3%

142. The Standard of Living Survey (ECV) for 1995, gives the following figures for education levels:[22]

	Average years of schooling	
	Female	Male
Nationwide	7.0	7.4
Urban	8.6	9.1
Rural	4.1	4.7

143. In 1998, school drop-out rates for boys were higher than for girls (4.7% compared to 2.4%), especially between six and 17 years of age. Educational drop-out among women is higher from 25 years of age onwards (3.3% compared to 2.2% for men).[23]

144. Generally speaking, in 1998, girls had lower grade repetition rates than boys (5.6% compared to 6.5%), according to the third round of ECV-98.[24]

145. The Literacy and Productive Training Programme for Women in the Rural Sector (PROCALMUC), started by the National Women's Department (now CONAMU), has been operating since 1993 and has achieved good results.

146. CONAMU has also been working since 1997 with the Latin American Faculty of Social Sciences (FLACSO) to implement an interinstitutional agreement enabling this post-graduate study centre to include gender studies in all areas among its regular programmes. It also provides training for civil servants through specialized courses on gender mainstreaming.

147. Similarly, some of the country's universities, assisted by international partners and specialized centres, are running pilot programmes in gender studies with a view to including the gender perspective in university curricula.

148. At the basic and secondary education level, the most important programmes being executed jointly between the different divisions of the Ministry of Education and CONAMU, are as follows:

- Inclusion of gender as a cross-cutting theme in the basic education curriculum.
- Inclusion of the gender perspective in the teacher training curriculum.
- A gender perspective training model aimed at teacher training institutes (IPEDS).
- Inclusion of gender issues and sex education in the curricular reform at high-school level.
- Literacy programme to enhance the quality of life among peasant or campesino women (PROCALMUC), which has been in existence since 1993. This programme, which was started by DINAMU, concentrates on literacy and productive training for rural women.
- Programme to promote non-sexist education.

149. CONAMU is part of the National Commission for implementation of the Law on Education for Love and Sexuality. The commission aims to ensure that measures adopted in applying this law have a gender perspective.

150. CONAMU is working in particular to ensure that this law embraces reproductive rights and the gender perspective.

151. At the basic and secondary level, the most important programmes initiated in the 1990s, which are being implemented through agreement between the different Ministry of Education offices with cooperation from NGOs, are as follows:

- Complementary food programme for the initial education level.
- School programme to develop life skills.
- School health programme.

152. CONAMU produced, published and distributed 90,000 copies of the primary school teacher handbook, entitled "Gender equity in the school".

153. It also designed and implemented the education programme entitled "Gender equity in the school". This contains a video, three teacher modules, a handbook for study-circle leaders, and user training.

[22] Ibid.
[23] Ibid.
[24] Ibid.

154. The curricular reform contains various areas of study. Each of them introduces, as priority practices, a number of cross-cutting themes, including values, development of intelligence, environmental education and interculturality.

155. Far from justifying single-sex schools, the democratization of education has caused the difference between the sexes to be used to highlight coeducation as a way to break down sexist barriers. In 1997, the number of schools offering coeducation was 22,997, compared to 456 boys-only schools and 781 girls schools. Accordingly, 94.9% of schools educate boys and girls together. At secondary level, mixed schools are also the majority (88%), followed by schools for girls only (7.9%). [25]

156. The interagency project "Exchange of practical experiences on gender", aims to share development experiences and projects in thematic groups dealing with the environment, training, education, political participation, leadership and productive activities. As part of this project, the *Muchacho Trabajador* programme published a book entitled *"El Camino a la Equidad"*, with active participation from a total of 24 NGOs, political movements and women's networks.

157. One of the reasons for school drop-out in rural areas is economic: families rely on child labour for survival. In addition, few schools offer study programmes that relate to productive life. Existing data show that the extent to which families value school, once their children have completed basic education, is much the same for boys and girls.

158. In 1994, about a fifth of all young women between 15 and 19 years of age (17.5%) were already either mothers or pregnant. In the countryside, adolescent pregnancy is often the cause of early marriage. In the rural area 21% of women were already mothers or pregnant before their nineteenth birthday. The highest rate of adolescent pregnancy occurs in the rural coastal zone.

159. It is thought that a high percentage of girls who become pregnant drop out of school, along with those that marry without being pregnant. The State works through CONAMU to promote gender mainstreaming in basic education curricula and to keep pregnant adolescents in school during pregnancy and after childbirth; information on this is lacking, however.

160. As regards higher education, the distribution of university graduates continues to reflect the different roles that persist in society generally, and in the labour market in particular. Among men, the most popular areas are those that have traditionally been labelled as masculine, apart from philosophy and education courses, which produce the highest percentage of graduates, basically because these courses are offered by nearly all universities in the country, and because of study facilities. Other choices in order of preference are: law, medicine, business management, agronomy, economics and all engineering areas.

161. Among women, there is clear preference for philosophy, language and education, which between them account for a large proportion of the female university population. A long way behind come management sciences, which lead to several careers traditionally labelled as "feminine", including accountancy and secretarial work. In addition to these choices, there are traditional courses such as nursing, medicine, economics, law, dentistry, commercial engineering, social communications, and clinical and chemical laboratory analysis.

162. The mass training of women for education-related careers results in a large number of women working in the education sector as pre-primary, primary and secondary school teachers. More than half of all teachers at these levels are women.

163. One of Ecuador's persistent problems is illiteracy. Despite this having declined significantly and schooling having increased, there are still problems relating to gender and place of residence. In 1998, the illiteracy rate was 12.1% among women and 8.35% among men nationwide, with even greater inequality in the rural area (21.1% for women compared to 14.8% for men).[26]

164. According to estimates based on the 1995 Standard of Living Survey, functional illiteracy, which mainly affects adult women, was 14% among women

[25] SINEC, Statistical Bulletin, 1996-1997 school year, No. 8, MEC.

[26] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.

and 11% for men in urban areas, 37% among rural women, and 32% among rural indigenous women and men.[27]

165. Despite State support, education services are inadequate to meet social demand and do not respond to the country's development requirements. A high percentage of rural schools across the country have just one teacher (5,477). Moreover, the condition of installations in some public schools is unsatisfactory. Sanitary conditions are often inadequate, and there are insufficient recreational spaces for boys and girls to ensure a suitable and healthy environment for their intellectual and physical development.

166. There are glaring quality differences between education provided in the cities, and that imparted in countryside, and also between public schools and private ones. For example, rural children of both sexes in second grade of basic education scored 43% lower than their peers at urban private schools, on the APRENDO school performance test in Spanish applied in 1996 by the Integrated Social Indicators System of Ecuador (SIISE).[28]

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(f) The right to protection of health and safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

167. Articles 35, 36 and 40 of the Ecuadorian Constitution introduced significant changes in terms of recognition of rights. The Constitution establishes that "The State shall propitiate the incorporation of women into the remunerated workforce, with the same rights and opportunities, guaranteeing identical remuneration for work of equal value." It also establishes respect for women's labour and reproductive rights, improvement of access to social security systems and special protection for expectant and breast-feeding mothers, working women, and those in the informal and handicraft sectors, women heads of household and widows.

168. All types of labour discrimination against women is prohibited. The work of the spouse or partner in the

[27] United Nations Development Fund for Women (UNIFEM), *Retrato de Mujeres*, 1998.

[28] SIISE, Ecuador, 1999.

household is taken into consideration to compensate him or her equally in situations in which he or she finds herself at an economic disadvantage. Unpaid domestic work is recognized as productive labour.

169. In addition, the State promotes responsible parenthood, and will oversee fulfilment of the reciprocal obligations and rights among parents and children.

170. These constitutional provisions represent several of the more important conquests included in the new political charter, meeting three of Ecuadorian women's main demands, namely (a) payment of equal wages for work of equal value; (b) positive discrimination with regard to their gender status or situation of vulnerability; and (c) recognition of unpaid domestic work as productive labour.

171. As a member of the International Labour Organization (ILO), Ecuador is a signatory to several conventions providing protection to women, such as Convention 103 on maternity protection, and Convention 45 prohibiting the employment of women in underground work. National legislation also includes rules on non-discrimination and the promotion of equal opportunities and equal treatment for all workers. This is covered by Convention 100 concerning equal remuneration for men and women workers for work of equal value, and Convention 111 on discrimination in respect of employment and occupation.

172. Ecuador has also ratified ILO Convention 102 on minimum standards of social security, and Convention 118 concerning equality of treatment of nationals and non-nationals in social security.

173. The Compulsory Social Security Act (Official Register supplement, 8 September 1998), sets out the different types of social security that exist in the country, and the benefits to which their affiliates are entitled.

174. The State promotes the incorporation of women into the remunerated workforce with equal rights and opportunities. Female labour market participation has increased over time, but this does not imply equal conditions with men. In 1995, it was estimated that 55% of Ecuadorian women over 10 years of age were participating in productive activities. In 1998, the overall participation rate of women in the economically active population (EAP) in urban areas was 46.1%.[29]

175. Despite the constitutional mandate, inequities persist in practice, as shown by EAP employment indices by occupational group. These reveal a predominance of women working as "office staff" (67.5%), and in "commerce and service work" (61.9%). Also, in 1995, 2.5% of women worked as "public-sector management staff", compared to 3% of men. In the private sector, women generally are employed at intermediate levels or in areas that are not fundamental to the firm's organization.[30]

176. Labour force participation is higher among rural women than for those living in the cities. In 1995, 61% of peasant women and 84% of indigenous women of working age were "economically active", whereas female labour-market participation was 54% in urban areas. Female economic participation rates are even higher among rural populations with links to the land.[31]

177. Women living in the Amazonian (eastern) and Sierra regions participate in productive activities more frequently than their counterparts in the coastal zone. The regional difference is more pronounced in rural areas, where 77% of working-age women in Amazonia, and 70% of those living in the Sierra region are part of the workforce, compared to 42% of economically active women in the coastal zone.[32]

178. Women's life-time labour force participation is shown by data on participation by indigenous children and adolescents. In 1995, eight out of every 10 girls and adolescents from indigenous homes, between the ages of 10 and 17 years, were performing productive activities (78%). The figure was even higher among the 18-39 age group, with as many as 90% of women either working or seeking employment.

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[29] The significant increase in the female labour participation figures between 1990 and 1995, from 26 % to 55 %, is largely the result of a new form of measurement. The 1995 ECV shows the importance of adapting instruments to precisely register women's economic and social activity.

[30] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, p. 27, 1999.

[31] Ibid.

[32] Ibid.

179. A large number of children from the countryside carry out productive activities. In 1995, 74% of boys and 43% of girls between 10 and 17 years old, in rural areas, were either working, carrying out productive tasks or seeking employment. The largest number of working girls corresponds to those belonging to campesino and indigenous households. While in the cities two out of every 10 girls were working, in rural areas four out of every 10 girls from campesino families and eight out of every 10 in indigenous households were doing so.

180. Given that the Political Constitution of Ecuador recognizes unpaid domestic work as productive labour, recent living standard surveys have included this indicator as a complement to EAP indices.

181. In the labour market, women are concentrated in own-account activities. Data from the 1995 standard of living survey (ECV) show that 26.0% of women are engaged in own-account activities compared to 14.6% in the case of men. Unpaid domestic work accounts for 29.2% of women and 16% of men. Wage-earning jobs are more prevalent among men (41%) than among women (27.8%).[33] Opportunities for women to obtain employment in the public and private sectors, or to run their own businesses, are much scarcer in rural areas than in the cities – particularly in the case of women from campesino and indigenous families.

182. Labour supply parameters mainly relate to education and age. In 1995, a majority of the employed female EAP had primary and secondary schooling; at higher and post-graduate education levels, participation is 13.9% among women, compared to 11.4% for men.[34]

183. Women are relatively more susceptible to unemployment and under-employment. In 1998, unemployment among the EAP in urban areas was 16.0% for women and 8.4% for men; underemployment stood at 16.2% and 11.2% respectively.[35]

184. Education and training are prerequisites for obtaining better quality jobs. One of the country's main professional training bodies is the Ecuadorian Professional Training Service (SECAP). The programmes run by this organization do not yet contain a gender perspective.

185. Job promotion in the public sector is regulated by the Civil Service and Administrative Career Act. Unfortunately, the Civil Service and Institutional Development Office (OSCIDI) does not have precise data on the percentage of women achieving promotion in public service during the 1990s.

186. Wages policy in Ecuador is implemented through three mechanisms:

- Fixing of the Minimum Living Wage, and wage increases every six months, implemented by the National Wages Council (CONADES).
- Wage-setting through Sectoral Minimum Wage Commissions. These are tripartite bodies, consisting of representatives of workers, employers and the Government. They are responsible for setting and reviewing wages, salaries and/or minimum rates of pay for workers protected by the Labour Code, in different branches of activity.
- Collective bargaining contracts. This is the mechanism through which unionized workers negotiate directly with employers over their conditions of employment.

187. Although equal pay for work of equal value is recognized in the Constitution, women are estimated to receive 32.5% less than men for their paid work nationwide. In 1998, women in urban areas received an average of 881,077 sucres, while men received 1,337,489 sucres, or 65.9% more. In rural areas women received an average of 328,911 sucres, compared to men's 613,253. The differential in this case amounts to 53.6%.[36]

188. The social security regime covers private-sector workers, manual workers and public servants, professionals with university or polytechnic degrees, notaries, property dealers and merchants, members of the clergy, craftsmen, teachers, apprentices, artists, professional drivers, self-employed or independent workers, members of associations or unions, and agricultural and voluntary workers, among others.

189. The social security benefits provided are as follows: insurance covering the expenses of illness, maternity and dental care, workplace hazards, unemployment, retirement due to disability or old age,

[33] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.

[34] Ibid.

[35] Ibid.

[36] Ibid.

survivor insurance, unsecured loans and reserve fund, to mention the most important.

190. For large sectors of the workforce, affiliation to a social security regime has become compulsory only gradually over the years. Different modalities have been established for this, such as insurance for domestic service workers of either sex.

191. The peasant worker social security regime (*Seguro Social Campesino*) protects anyone providing services, or working on an employed basis, in tasks relating to the rural sector. Affiliates have the right to the following benefits: insurance against illness, maternity, dental care, workplace hazards, unemployment, retirement due to disability or old age, insurance in respect of death, funeral expenses fund, the 13th and 14th month pensions, unsecured loans and reserve fund. In 1996, the campesino social security system covered 167,331 families and 6,737 retirees (disability or old age); it also provided a total of 774,644 medical consultations.[37]

192. Maternity insurance is one of the most important benefits of the social security system, as it covers prenatal, perinatal and postpartum obstetric care, along with comprehensive care for the child during the first year of life. It also delivers a cash subsidy to female workers in the private sector equivalent to 75% of their wage.[38] Women workers in the public sector have no entitlement to this subsidy, because by law they receive full pay throughout maternity leave.

193. In 1997, 34% of women claimed the maternity insurance and 90,889 children received care during their first year of life.

194. Industrial health, safety and hygiene is an issue that has been gaining increasing importance in recent years. Bodies responsible for ensuring compliance with these rights in Ecuador are the Ministry of Labour and Human Resources and the IESS Workplace Hazard Division.

195. The Labour Code establishes special compensation for pregnant women who are dismissed or laid off, and also grants women a two-week leave period before giving birth and 10 weeks afterwards.

196. In 1996, 24 complaints were filed before the Employment Inspectorate of Pichincha, alleging non-compliance by employers with maternity rights; 20 such complaints were received in 1997 and 22 in 1998.[39] In all there are 26 Employment Inspectorates nationwide.

197. There is no study indicating the degree to which employers comply with maternity leave entitlements and the reduced working day, commonly known as the "breast-feeding permit". Nor is it known to what extent women file complaints against non-compliance.

198. Day-care services (except in flower-growing businesses) are provided for under article 155 of the Labour Code. This law is only partly complied with, and a large proportion of workplaces do not set up childcare centres. Private-sector employers generally prefer to provide a voucher enabling the mother to hire a private day-care service.

199. Given the high demand for jobs by mothers that have a household to sustain, State-run childcare centres are insufficient. The Ministry of Social Welfare applies the Regulation on the Establishment and Functioning of Child Care Centres, which requires private day-care centres to accept up to 10% of the total enrolment of children free of charge. This is an attempt to cater for children under six from low-income families.

200. Nationwide, 18% of families are sustained by the woman alone (i.e. female heads of household); the proportion is higher in the urban area than in rural zones (21.3% compared to 15.1%). In households headed by women the husband is usually absent. Nationwide, 16% of female household heads have no education, compared to 6.9% in the case of men.[40]

201. In 1998, the female migrant population older than ten years of age amounted to 12.9%, and the equivalent male figure was 12.4%. For 40.5% of women the main reason for migration is to accompany the family, compared to 30.1% in the case of men. Work is the main reason for migration among men (37.3%), compared to 22.1% in the case of women.[41]

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[37] Barreiro, Pedro, *Historia y Reformas del Seguro Social Campesino*, 1998.

[38] During their 12 weeks of maternity leave, female workers in the private sector receive 25% of their wage paid by their employer and the remaining 75% through the social security subsidy.

[39] Ibid.

[40] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.

[41] Ibid.

202. Nearly half of all rural women who moved to the cities (45%) did so to improve their incomes, find work or study. In contrast, those who moved to other rural areas did so mainly for marriage or family reasons (66%).[42]

203. In keeping with the Equal Opportunities Plan, CONAMU runs short and medium-term programmes targeting low-income women. These give priority to female heads of household and support for productive job creation, as measures to overcome poverty.

204. The Ministry of Labour and Human Resources, in conjunction with CONAMU, signed an interagency cooperation agreement to promote and safeguard female workers' rights and equality of opportunities, and to prevent labour-market discrimination on the grounds of gender. The agreement envisages training in gender and public policies for Ministry staff, and participation by CONAMU in the Sectoral Minimum Wage Commissions.

205. The Ministry of Social Welfare runs a childcare service for low-income working mothers. Twenty-eight institutions are involved nationwide, with 13 operating under contract.

206. The Ministry of Social Welfare, acting through the Executing Unit of Operation Child Rescue (ORI), runs 1,235 childcare centres under a non-conventional modality involving major community input. These centres provide services via cooperation agreements signed with local, non-governmental organizations, State bodies, the Church, and so forth.

207. The National Institute for Children and the Family (INNFA) with its Child Development Program (PDI), has 1,057 centres throughout the country.

208. The ORI and INNFA programmes are supported by the National Alternative Pre-School Education Programme (PRONEPE) whose objective is to cater to the pre-school needs of children between four and six years of age. This is done under two modalities: integrated playschool and community child development centres. Nationwide this programme covers 31,403 boys and girls between four and six years old, in 1,727 community child development centres and integrated play schools.[43]

209. In view of the problem of female workers in flower growing businesses, the Ministry of Labour and Human Resources, acting through the Labour Prevention Department, carried out a series of inspections among flower producers and exporters in December 1998, visiting 121 firms in Pichincha, nine in Cotopaxi and 20 in Imbabura. The visits gave the following diagnostic results: lack of internal regulations in 86 firms, and absence of industrial safety and hygiene regulations in 53. There was also a lack of knowledge of the law on pay, additional bonuses and profits.

210. The globalization process, together with productive restructuring in the region to enhance international competitiveness, has led to a search for lower-cost modes of production, with labour relations being made more flexible. There has also been a failure to understand the role of professional training and better labour skills in attracting foreign investment and increasing its domestic counterpart. This is another of the problems that make it difficult to achieve equity in labour relations.

211. Indigenous women have less access to campesino social security than their counterparts in the non-indigenous population. Data obtained from households on this issue, particularly in the 1995 ECV, show that about 90% of the indigenous population lacks any type of social security coverage giving access to health-care services and other benefits.[44]

212. The Constitution recognized equal pay for work of equal value, which was a conquest achieved in the National Assembly of 1998. This is also consistent with article 79 of the Labour Code, which provides for equal remuneration for equal work.

213. The positive discrimination measures contained in the Employment Protection Act, require firms to hire a minimum percentage of women. The precise figure is established by the respective Ministry of Labour Sectoral Commission.

[42] United Nations Development Fund for Women (UNIFEM), *Retrato de Mujeres*, 1998.

[43] MBS, INNFA, ORI, MEC, PRONEPE, *Cartilla de Indicadores de la Infancia*, 1998.

[44] Encalada, Eduardo; Garcia, Fernando; and Ivarsdotter, Kristine, *Pobreza Indigena y Negra del Ecuador*, September 1998.

214. PRONADER is a programme that has been run by the Ministry of Social Welfare since 1989, with financial support from FIDA, the World Bank, and the Governments of Holland, Switzerland and Spain. It recognizes the aspirations of indigenous and black communities, and includes a gender perspective in each of its 12 areas.

215. Between 1992 and 1995, PRONADER worked with 40 women's groups covering 836 women, as well as 167 mixed groups containing 1,637 individuals, on the following activities:

- Land titling (4,222 women).
- Technology transfer. In 1995, 35% of producers catered for with this service were women.
- Community Development Fund (FODECO), 32.5% (4,312) of those receiving funds were women.
- Definition of the extent of incorporation of the gender perspective in each of the 12 central administrative units, along with the gender training needs of technical staff.
- Formation of 49 microenterprises run by women.[45]

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health-care services, including those relating to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

216. Article 42 and subsequent articles of the Constitution make it an obligation of the State to guarantee the right to health, its promotion and protection, through the development of food security, the provision of potable water and basic sanitation, the promotion of a healthy family, work and community environment, and the possibility of permanent and uninterrupted access to health services, in conformity with the principles of equity, universality, solidarity, quality and efficiency.

217. Official Register No. 285, of 27 March 1998, published the Law on Education for Love and Sexuality. This topic is a cross-cutting theme in study plans and programmes in all public and private schools at pre-primary, primary, secondary and technical levels. It is based on respect for the dignity of human beings and life, and on the ethical and moral values upheld by the cultures that exist in Ecuador.

218. The law on abortion is clear; the State protects the child from the moment of conception. Nonetheless, article 447 of the Criminal Code prescribes that abortion practised by a doctor, with the consent of the woman or her husband, or of intimate family relations when she herself is not able to give it, shall not be punishable solely in the following cases:

- When performed to avert danger to the life and health of the mother, and provided such danger cannot be avoided through other means; and
- When the pregnancy is a result of rape or statutory rape committed on a woman suffering from mental disability. In such cases, abortion requires consent from the woman's legal representative.

219. According to INEC records of births and deaths in 1997, the five main causes of mortality among Ecuadorian women were: pneumonia, cerebro-vascular illnesses, diabetes, hypertension-related illnesses and ischemic heart diseases. The five leading causes of death among men were: traffic accidents, assaults, pneumonia, ischemic heart diseases and cerebro-vascular illnesses, in that order.[46]

220. In 1997, the five main causes of illness among women in the country were as follows: obstetric problems, abortion, infectious intestinal diseases, infections of the urinary tract and bone fractures. The five main causes of morbidity among men were infectious intestinal illnesses, fractures, abdominal hernia, diseases of the urinary tract and pneumonia, in that order.

221. Nationwide, nearly half of all children under five suffer from undernourishment, with boys and girls

[45] IICA, *Informe sobre la estrategia de incorporación del enfoque de género y apoyo al trabajo de mujeres*, 1998.

[46] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, p. 5, 1999.

affected equally. There is no evidence of gender differences in nutritional deficiencies among Ecuadorian children. Those living in the countryside face higher nutritional risk, however.[47]

222. Breast-feeding may offset nutritional risk in the initial months of life. In 1995, 20% of boys and girls under five had been breast fed at some point; 80% of them for six months or more. Breast-feeding is more common in the countryside; over 97% of children of both sexes had been breast-fed, 90% of them for six months or more. Since breast-feeding is a widespread practice, it is hard to identify differences between the different population groups in rural areas. It is noteworthy, however, that 96% of indigenous children of both sexes had been breast fed for six months or longer.[48]

223. Up to 60% of all pregnant women suffer from anaemia, although the situation has been gradually improving, as the following figures show:[49]

	1993	*1994*	*1995*	*1996*
Pregnant women suffering from low weight	31.3%	28.8%	23.6%	24.2%
Pregnant women suffering from overweight	15.0%	14.7%	15.2%	Data not available

224. Figures for recent years show that Ecuador's total fertility rate has declined:[50]

Year	*Total fertility (per 1000)*
1993	101.4
1994	97.9
1995	92.8
1996	90.0
1997	87.7
1998	84.7

225. A woman's education level affects the number of pregnancies she has. Those with no schooling have 6.24 children on average, whereas those with higher education average 2.13 children each. The group with the highest number of pregnancies are peasant women with no schooling, who average seven children each.[51]

226. In 1994, about one fifth of young women between 15 and 19 years of age (17.5%) were already either mothers or pregnant. Adolescent pregnancy in the countryside is a cause of early marriage. As many as 21% of women in the rural area were mothers or pregnant before their nineteenth birthday, with the highest rate of adolescent pregnancy occurring in the rural coastal area. Education strongly influences the onset of maternity; in the countryside, four out of every 10 young women between 15 and 19 years of age, who had not completed primary school, already had or were about to have children – four times the figure for young women who had entered secondary school.[52]

227. Medical check-ups during pregnancy are essential for the health of mother and child. The number of check-ups during a woman's most recent pregnancy in 1993-1998 averaged 5.6 nationwide – 6.2 in the urban area compared to 4.6 in rural zones. Prenatal care is less frequent among indigenous and peasant women, who receive an average of two and three prenatal checkups respectively.[53]

228. As of 1995, 11.7% of all pregnancies nationwide received no medical monitoring (based on the most recent pregnancy during the previous five years). Women in the countryside run greater risks during pregnancy. In the same year, the proportion of pregnancies not receiving professional or trained monitoring was especially high among campesino and indigenous women, at 25% and 42% respectively.[54]

229. In rural areas, a significant number of women do not receive professional attention during childbirth. According to data for 1993-1998, just 50.1% of births were attended by a doctor and 24.5% by a midwife. As many as 14.5% of women are assisted in childbirth by family members. In the urban area during the same

[47] UNIFEM and the Secretariat of the Social Front, *Retrato de Mujeres*, 1998.

[48] UNIFEM and the Secretariat of the Social Front, *Retrato de Mujeres*, 1998.

[49] SISVAN Ecuador, 1994, 1995, 1996.

[50] Rate expressed per thousand women of fertile age (15-49 years old). Ministry of Public Health, FASBASE project, 1999.

[51] SIISE, Integrated Social Indicators System.

[52] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, p. 50, 1999.

[53] SIISE and *Retrato de Mujeres*, taken from the Standard of Living Survey, 1995, p. 90.

[54] SIISE and *Retrato de Mujeres*, taken from the Standard of Living Survey, 1995, p. 84.

period, professionally attended births were the norm, with 79.8% of women assisted by medical professionals, 13.7% by an obstetric nurse and 4.2% by a birth attendant or midwife.[55]

230. Nationwide, 49.3% of medical attention at childbirth is provided in public hospitals, 21.7% in private consulting rooms or clinics and 21.4% at home.[56]

231. In 1995, 33% of cancer deaths among women were the result of genital tumours and 12% corresponded to breast cancer; in contrast, genital tumours accounted for just 15% of cancer cases among men. Although lung cancer occurs predominantly among men, it has also increased among women.[57]

232. Rural women face higher risks of death resulting from a lack of preventive care. According to data from the third round of the living standards survey in 1997-1998, only 25.9% of women between 15 and 49 years of age nationwide underwent a cervical smear (Papanicolau) test. In urban areas the figure was 31.6%, compared to 16.1% in the rural area. It is worrying that nationally 56.5% of women of fertile age have never undergone this test; in the rural area the figure runs as high as 69.9%.[58]

233. Statistics show that 35.6% of women between 15 and 49 years of age in the urban area use contraceptive methods, compared to 23.4% rurally. The proportion of people claiming knowledge of some contraceptive method varies widely: 87.7% in urban areas and 63.8% in rural zones.[59]

234. The five methods of contraception most widely used by women between 15 and 49 years of age are tubal ligation (32% nationwide), inter-uterine device (IUD) 24.1%; the contraceptive pill 21.9%; injection 5.8%; and lastly the condom 3.2%.[60]

235. Figures on tubal ligation, IUD and the pill show that these are the most widely used contraceptive methods in Ecuador, which indicates that responsibility for reproductive health is basically assumed by women.

236. Tubal ligation is the most widely accepted contraceptive method in the rural area, with a prevalence of 36.7% compared to 30.2% in urban zones.[61]

237. Health risks increase with pregnancy. The main causes of maternal death in Ecuador in 1996 were as follows:[62]

	Rate per 100.000 live births
Toxaemias during pregnancy	27.0
Haemorrhage in pregnancy and childbirth	16.6
Miscarriage	4.1
Post-partum complications	3.0
Indirect obstetric causes	0.4
Other causes	0.4

238. Miscarriage is a primary complication of pregnancy that can result in the mother's death. In recent years, rates of mortality resulting from miscarriage among women between 15 and 49 years old have been 0.14% in 1994, 0.15% in 1995 and 0.08% in 1996.[63] Maternal death may occur as a result of haemorrhage or infection in the event of incomplete abortion, or as a result of intervention to provoke it. Death is likely unless the mother receives medical attention and hospitalization, or if she arrives at a clinic in a condition of generalized sepsis.

239. The Government is worried by indices of adolescent abortion. In 1997, 40% of adolescent pregnancies in Guayaquil (the country's main port) ended in abortion. Up to 10% of adolescent girls who become pregnant are subjected to pressure from their family to abort. The index of abortions among young girls under 15 years of age is 17.15%. Despite widespread knowledge of family planning methods among women (87.7% in urban areas and 63.8% in rural zones), only 35.6% of women in urban and 23.4%

[55] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999, p. 50.

[56] SIISE, Integrated Social Indicators System of Ecuador, 1997.

[57] UNIFEM, Technical Secretariat of the Social Front, *Retrato de Mujeres*, 1998, pp. 99 and 100.

[58] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.

[59] Ibid.

[60] Ibid.

[61] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.

[62] Ministry of Public Health, INEC, PAHO, *Situación de la Salud en el Ecuador, Tendencias de la natalidad y mortalidad*, 1998.

[63] SIISE, Integrated Social Indicators System of Ecuador (version 0.1), 1999.

in rural areas actually use such methods, according to the third round of living standards surveys conducted in 1998.[64]

240. There are no figures on clandestine abortions. The figures that exist relate to recorded cases of patients discharged from hospital.

241. The range of health services available in Ecuador includes the following different systems:

- Public health services, provided through the Ministry of Public Health, and intervention by municipios in conjunction with foundations.
- Health services catering to specific population groups, such as the police and military health insurance schemes (ISSPOL and ISSFA).
- The para-statal health service operated through the Ecuadorian Social Security Institute (IESS).
- Private health care.
- Private non-profit-making schemes such as the Junta de Beneficencia de Guayaquil, the Society for the Fight against Cancer (SOLCA), and others.

242. These systems operate in parallel, with the result that the supply of health services in the country is disperse. There was no comprehensive policy on health prior to the present Constitution. In accordance with the constitutional mandate, a national health service is expected to be set up, comprising public, autonomous, private and community bodies, and operating in a decentralized, deconcentrated and participatory manner.

243. The organization of Ecuador's health system is such that 30% of the population is covered by the public health service (Ministry of Health); 20% is covered by IESS; and 20% is covered by the peasant workers' (campesino) social security scheme. The private non-profit sector covers another 7%, and the profit-making segment 15%.[65]

244. Nationwide, 80% of women have no access to health insurance (82.6% in urban areas, and 76.3% in the rural zone). The slightly lower figure in rural areas is explained by the fact that campesino social security covers 21.8% of women in the countryside but only 0.5% in the urban sector.[66]

245. Health-care professionals are very scarce in the countryside, since most work in the large cities. In 1995, there were 15.19 doctors per 10,000 inhabitants nationwide – 13.79 in the urban area and just 1.39 in the countryside.[67]

246. In 1995 there were 5.20 nurses per 10,000 inhabitants nationwide, with 4.81 in the urban area and 3.98 in rural zones. Of a total of 775 obstetricians nationwide, 650 were in urban areas and 125 in the rural sector. The distribution of nursing auxiliaries was 13.39 nationwide – 12.12 in the urban zone and 1.27 in rural areas.

247. The third round of the Standard of Living Survey (ECV) shows that waiting time for medical attention averages 40 minutes nationwide. Women wait an average of 42 minutes, and men 38 minutes. In urban areas women wait on average for 41 minutes and men 36, while in rural areas the figures are 44 and 40 minutes respectively.[68]

248. In 1998, women took an average of 27 minutes to reach health centres in urban areas, compared to 59 minutes in rural areas. This undermines women's access to health services, especially in the case of peasant and indigenous women.[69]

249. As regards the supply of health-care services, the number of beds per 10,000 inhabitants in Ministry of Public Health establishments was 7.1 in 1994, 7.7 in 1995 and 7.6 in 1996. Hospital bed occupancy rates in private institutions were 3.1 in 1994, 3.3 in 1995 and 3.4 in 1996. The stock of beds in IESS hospitals was 1.6 per 10,000 inhabitants in 1994, 1995 and 1996, while in other institutions the rate was 4.0 in 1994 and 1995, and 3.9 in 1996.[70]

250. Access to potable water in 1993 was 59.2% nationwide, 75.0% in the urban area and 27.5% in rural

[64] CONAMU, Health Technical Area, September 1998.

[65] SIISE, Integrated Social Indicators System of Ecuador, 1999.

[66] CONAMU and INEC, *Hombres y Mujeres del Ecuador en Cifras*, 1999.

[67] SIISE, 1999.

[68] CONAMU and INEC, *Hombres y Mujeres del Ecuador en Cifras*, 1999, p. 49.

[69] Ibid.

[70] SIISE Integrated Social Indicators System of Ecuador, 1999.

zones. By 1996 these figures had risen to 69.7%, 81.5% and 50.9% respectively.[71]

251. Most rural women still have inadequate access to safe water, and the deficit in rural areas remains considerable.

252. The coverage of sewerage services in 1993 was 60.8% in urban areas, but only 9.4% in the countryside. By 1996, coverage had expanded to 61.4% and 10.4% respectively. It is notable that the largest difference occurs in the rural area. The availability of latrines in the urban area in 1993 was 9.0% and in rural zones 25.4%; in 1996, the equivalent figures were 9.1% and 26.3%.[72]

253. The Ministry of Health FASBASE project to strengthen and expand basic health services in Ecuador, provides health care for the two million Ecuadorians living in conditions of poverty, who are at risk of illness and death as result of problems that could be tackled through early prevention or treatment mechanisms, through an effective and low-cost basic health service system (Ministry of Health, 1992). The project also involves a nutritional development component that provides a food complement (for pregnant women, during the lactation period, and for children under three), nutritional education, promotion of breast-feeding and monitoring of growth, and nutritional surveillance. Another major component is linked to basic sanitation, with activities aimed at providing safe water and latrine services for populations covered by the project.

254. The Ministry of Health is also implementing a number of programmes to prevent illnesses and protect mother and child health. These are:

- Monitoring of growth and development. This programme aims to achieve adequate levels of growth and development among children of both sexes, through actions of nutritional surveillance, nutritional care for high-risk groups and nutritional education for mothers, families and communities.
- Expanded immunization programme. This consists of inoculation for 1.5 million children and pregnant women against 10 illnesses (measles, diphtheria, whooping cough, rubella, tuberculosis, tetanus, polio, mumps, yellow fever and hepatitis B). Vaccination against yellow fever and hepatitis B is applied in the Amazon region only, where a number of cases have been verified; vitamin A is provided to children under three.
- Programme to promote and protect breast-feeding. This seeks to improve maternal lactation practices with a view to reducing disease and mortality among the under-fives, guarantee adequate growth and development, and improve their nutritional level. The programme is implementing the mother- and child-friendly hospital strategy, to promote breast feeding, through institutions that attend over 1,000 births per year.
- Infant health and survival project. This is a two-pronged project: improving infant health and survival by providing care for children in the areas of diarrhoeal illnesses, acute respiratory infections and immunization; and institutional strengthening via improvements to information, supervision, management and logistics systems.
- National food and nutrition programme. This aims to incorporate agrifood and nutritional objectives, considerations and components in national and sectoral policies, plans and programmes, in order to enhance prevention and treatment of nutritional deficiencies in the population, especially among high-risk and vulnerable groups (women of fertile age, children, and old people).
- Complementary mother and child nutrition programme. This provides food supplements for children under five, as well as pregnant and breast-feeding mothers, users of the mother and child health programme run by the Ministry of Public Health.
- Programme to combat endemic goitre. This aims to control problems stemming from iron deficiency, by using iodized salt throughout the population, supported by a system of epidemiological surveillance for iodine deficiency disorders. The programme has a special focus on the Andean region, which is deemed a high-risk area.

[71] Ministry of Public Health, FASBASE, Undersecretariat for Environmental Sanitation, 1999.

[72] Ibid.

- Child development programmes. These are comprehensive care models for children under six years of age, whose families are living in poverty and high-risk situations. It operates with a variety of attention modalities, centred on the following: health-care components for the prevention and control of illnesses; food and nutrition components to improve the nutritional state of children at risk or those with slight-to-moderate malnutrition; and psycho-social development components to stimulate child development. This programme is run by the Ministry of Social Welfare and the National Institute for Children and the Family (INNFA).

255. Health levels among the Ecuadorian population are modest. Although progress has been made over the last two decades, it is worrying to see this now under threat from the economic and political crisis the country has been going through during the last decade.

256. Between 1974 and 1994, causes of morbidity and mortality have changed dramatically among Ecuadorians of both sexes: deaths from preventable causes have declined, while those arising from chronic-degenerative diseases have increased. In 1995 deaths from chronic-degenerative diseases surpassed those resulting from preventable illnesses for the first time in the country's history.

257. The expansion of health-care centres in rural communities is allowing progress to be made in combating disease; in 1995, 35% of rural communities had their own health-care centre.

258. Vaccination campaigns benefit infants and pregnant women. In 1995, inoculations targeted six illnesses, and by 1999 this had risen to 10, taking into account the peculiarities of the Amazon region. This campaign managed to cover 1.5 million children under five and pregnant women nationwide.

259. Since 1998, the Government, acting through the Ministry of Health, has declared family violence to be a public-health problem, in terms of registration and identification of cases of violence, and treatment of victims.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.

260. Article 34 of the Constitution of Ecuador guarantees equality of rights and opportunities for women and men in access to production resources and in economic decision-making in the administration of the conjugal society and property.

261. Although there is no discrimination in access to resources such as housing and land, nonetheless, according to 1995 statistics, only 19% of women were landowners, compared to 31% of men. There is also roughly a 10 point disparity in terms of home ownership.[73]

262. Public- and private-sector banks do not take the sex of the applicant into account when granting loans and mortgages, basing decisions on an analysis of payment capacity.

263. In the rural area, households have less access to institutional credit than those living in the cities. Indigenous and campesino families make less use of formal credit: just 5% of these households compared to 18% of those living in the cities. In the countryside, households rely mainly on informal credit.[74]

264. The Ministry of Housing and Urban Development (MIDUVI) has set up a Housing Incentive System (SIV), in order to make housing more available. The system combines applicants' savings with a government incentive and a loan from a financial institution. This can be used for house purchase, home improvement, purchase of housing in the marginal urban segment and rural housing, with priority given to female heads of household.

[73] CONAMU, *Proyecto Políticas de Género hacia el año 2000*, 1999.

[74] UNIFEM, Technical Secretariat of the Social Front, *Retrato de Mujeres*, 1998.

265. The results obtained from application of the SIV system in the case of new housing up to 1999, show that 44.92% of beneficiaries were women. Of the total group, 36.75% have higher education and 63.25% do not; a majority of women (60.26%) are employed (39.74% are not). The marital status of women beneficiaries was as follows:[75]

Marital status	*Proportion of total*
Married	42.48%
Single	33.13%
Divorced	9.12%
Separated	7.52%
Cohabiting	4.57%
Widow	3.18%

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health-care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communication..

266. Chapter 5 of the Constitution, on collective rights, establishes the rights of indigenous and black or Afro-Ecuadorian peoples.

267. The Agrarian Development Law of 1994 promotes training for campesinos and organization for productive purposes. It activates the land market, guarantees land ownership, provides for mechanisms to enable the small-scale producer to gain access to credit, and rationalizes agricultural marketing processes. It also streamlines administration in the National Agrarian Development Institute (INDA) for formalizing rural land ownership, and provides incentives for investment in the agricultural sector.

268. In 1995, about 60% of rural dwellers were peasant workers or campesinos, in other words members of households that depend to some extent on working the land. In the Sierra rural area, 66% of men and women belong to campesinos homes. Studies estimate that about 20% of the rural population of the Sierra and Amazon areas is indigenous, which coincides with the distribution of households in which a native language is spoken.[76]

269. The majority of the population that speaks indigenous languages is concentrated in the Sierra and Amazon regions. The concentration of ethnic groups shows clear regional biases. In 1995, 13% of the rural population and 17% of campesinos of either sex spoke an indigenous language. In Amazonia, 9% of people

[75] CONAMU, result of the study "Inserción del enfoque de Género en el Programa de Apoyo al sector de Vivienda del MIDUVI", August 1999.

[76] UNIFEM, Technical Secretariat of the Social Front, *Retrato de Mujeres*, 1998.

spoke Shuar or Quichua and 16% were members of households in which these languages are spoken.[77]

270. The campesino social security system covers men and women equally. One-fourth of the peasant population (23%) was covered by the service in 1995.[78]

271. Social security medical dispensaries are an important component of the health-care infrastructure in rural areas. According to figures from the living standards survey (ECV-III 1998) on access to health insurance in the urban area, 0.5% of women and 0.6% of men have access to the peasant worker social security system; in rural areas, the corresponding figures are 21.8% for women and 19.7% among men.[79]

272. In 1995, employment rate among the Economically Active Population (EAP) in the rural area, by age group, was highest among 10-19 year-olds, with a 26.2% participation rate among women and 28.8% for men; in the urban area the highest rate of employment was among the 20-39 age group.[80]

273. In 1995, 61% of peasant women and 84% of indigenous women were economically active, compared to 54% of women in urban areas. Women living in Amazonia and the Sierra region participate in productive activities more frequently than those in the coastal area.[81]

274. Indigenous women are active workers throughout their life, from childhood to old age. A substantial number of boys and girls in rural areas carry out productive tasks. In 1995, 74% of boys and 43% of girls between 10 and 17 years of age living in the countryside were either working, carrying out productive tasks in the home, or seeking employment. Girls from campesino and indigenous families are more likely to be working than other children in Ecuador.[82]

275. According to statistics from the 1995 ECV, the gender wage gap was greater in rural areas, where women earned 37% less than men. These figures only relate to individuals undertaking paid work, however, and do not cover unpaid workers. The wage differential between men and women is therefore greater than this in reality.[83]

276. Self-consumption is most important as a survival strategy among campesino and indigenous families. About one quarter of incomes in peasant households (24%), and almost one-third of those obtained by indigenous families (27%), represented consumption of output from their own businesses or farms.[84]

277. Families headed by women are more common in the countryside. Data on rural households indicated the following situation in 1998: 15% of all households were headed by women; of those with more than five members, 23.8% were headed by a woman; and 58% of female heads of household have primary education.[85]

278. Most Ecuadorian women of 15 years or older are either cohabiting or married, in particular in the countryside. Consensual union is more frequent in rural than in urban areas, especially among campesinos. It is also much more frequent among women on the coast, where there are more women cohabiting than married. Legal marriage is most common among women of the Sierra region. Among indigenous women in the countryside 59% are married and only 5% cohabit. In the case of peasant women, 44% are married, and 16% live in de facto union.[86]

279. Divorce and separation are very uncommon in rural areas. In 1995, 2% of rural indigenous women over 15 years of age were divorced and 1% were separated. The largest proportion (59%) were married. Widowhood is more common in rural areas than in the cities (8% compared to 6%).[87]

280. The National Council for Development of the Nationalities and Peoples of Ecuador (CODENPE) [88] is responsible for development planning among the country's various nationalities and peoples. Similarly, the Council for Development of Afro-Ecuadorian Peoples (CODAE) is responsible for policies relating to Ecuador's black populations. These institutions guarantee participation for indigenous nationalities and

[77] Ibid.
[78] Ibid.
[79] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.
[80] Ibid.
[81] UNIFEM, Technical Secretariat of the Social Front, *Retrato de Mujeres*, 1998.
[82] Ibid.
[83] UNIFEM, Technical Secretariat of the Social Front, *Retrato de Mujeres*, 1998.
[84] Ibid.
[85] Ibid.
[86] Ibid.
[87] Ibid.
[88] Created through Executive Decree 386 in Official Register No. 86, on 11 December 1998.

peoples, including Afro-Ecuadorians, in all spheres of social life.

281. In August 1997, the Ministry of Social Welfare introduced the Plan to Combat Rural Poverty, which reaffirms the political will of the National Government to support sustainable rural development with a long-term policy for poverty reduction. Its most important strategic pillars include: campesino participation, conservation of resources and environment, and expansion of agriculture and training.

282. During 1989-1992, the National Economic Development Plan (PRONADER) gave a high priority to rural development, as one of the key components of the strategy to reduce unemployment and poverty in the country, and reduce inequality between the different regions.

283. PRONADER identifies several institutions as agents of rural development, including: the Ministry of Agriculture and Livestock (MAG), institutions forming part of the National Agrarian Development Institute (INDA), Banco Nacional de Fomento, domestic and international NGOs. It also receives technical cooperation from the Inter-American Institute for Cooperation on Agriculture (IICA).

284. Gender was thus mainstreamed into the work of PRONADER, and participants at the different levels of programme management and operation were informed and trained in concepts, working methodologies, tools and instruments to incorporate the gender perspective into their work. Technical experts and campesinos (both men and women) were given practical training, at the local level, on the tools and contents of gender-aware planning, and on other issues.

285. Since 1998, PRONADER has been known as the Local Sustainable Development Programme (PROLOCAL), the aim of which is to build a local sustainable and equitable society within a new rural framework.[89] CONAMU and IICA are working to incorporate gender-awareness into this programme.

286. The Ministry of Agriculture and Livestock has been working since the 1980s with programmes aimed at improving the situation of peasant women. These promote a concept of rural development that views women as active development subjects, highlighting their key role in the productive process, and enhancing skills in agricultural and livestock activities, as well as in agri-business, agricultural craft work and environmental conservation.

287. The development and execution of the various projects has prioritized participation by women and young people, as the direct beneficiaries of the development projects promoted by MAG, through the National Division for Campesino Women, Youth and Family.

288. A project entitled "Integrated Development for Campesino Women" began in 1994, based on the actions of the Household Improvement Programme in setting up women's groups. Activities have focused on opening up larger spaces for women's participation, including direct action to promote productive activities that generate employment and income for women, give them access to community power structures and raise their self-esteem.

289. The main objective of the project is to promote and value the work performed by peasant women in agriculture and livestock activity, and increase their share in the benefits of development. The programme, which is financed from the State budget, covers 18 provinces: 10 in the Sierra region, three on the coast and five in the east. There are 78 beneficiary communities, 143 subprojects under execution, and 7,900 beneficiary families. Subprojects are managed by organized mixed groups (women and men), 85% of which are led by women. Training is provided on socio-organizational, technical-productive, and managerial-business subjects, as well as on resource management. There are also workshops on taking advantage of the benefits of development, self-management, political participation and research into ethno-cultural manifestations. Community infrastructure is provided, such as irrigation channels, home-workshops, water tanks, hangars and bulking centres.

290. Project execution strategies and methodologies include components on modernizing agricultural and livestock activities such as: technology validation and transfer; provision of irrigation; training and improvement of agricultural, agribusiness and craft-work practices; creation and operation of innovative

[89] The term "rural framework" refers to new ways of life, organization of productive processes, urban-rural links, information systems, public administration models; new modes of policy making, reassessment of democracy, and prudence in the use of natural resources, among other things.

forms of financing such as the Community Development Fund (FODECO); modern marketing services; legalization of land ownership; highway improvement and business training. All of these have become dynamic elements in modernizing production processes.[90]

291. Programme goals include awareness raising and training for staff to prepare national statistics with a gender perspective; and training in gender planning for staff working in regional and sectional organizations.

292. The Social Emergency Investment Fund, created in 1993 as an executive body attached to the Office of the President of the Republic, concentrates on small-scale infrastructure works for communities affected by natural disasters. Its actions target campesino and indigenous communities living in poverty.

293. The Solidarity Fund, created in 1993 to administer resources generated by application of the State Modernization Law, and from privatizations and the provision of public utilities by private enterprises, needs to target its activities on the most deprived sectors of the country. Planning should promote economic deconcentration and administrative decentralization.

294. There are major differences in the availability of public utilities between the cities and the countryside. Rural women, and especially campesino and indigenous ones, suffer major shortcomings in terms of the precarious quality of their housing and habitat. Electric power is the only service that reaches most inhabitants of the countryside. Even so, electricity supply in rural areas is uneven: greater in the Sierra area, middling in the coast and scarce in Amazonia.

295. Supported by international partners, domestic public- and private-sector development agencies, and institutions that have received technical backing from CONAMU, made a diagnostic study of the situation of rural women. This included a systemization of productive experiences and employment policies and income generation at the local level.

296. Support has been provided for a large number of development projects that either target rural women or have a gender perspective. Some of these have had a development outlook, while others, especially recently, have focused on women in development and gender in development.

297. National and regional scope projects have been implemented that work with a gender perspective, combining technical training with the "empowerment" of women. These include the Campesino Forestry Development Project (DFC), the Sustainable Human Development Project (PDHS), the Upper Cañar River Basin Project (CARC) and the Rural Women and Family Development Project in the province of Chimborazo, to mention the most important.

298. These projects and programmes have received support from the European Community, the Food and Agriculture Organization of the United Nations (FAO), and from local NGOs that finance programmes targeting women as priority social subjects (such as the Esquel Foundation and FEPP) in coordination with others specializing in gender issues.

299. The Ministry of Agriculture and Livestock created the National Division for Campesino Women, Youth and Family, through Ministerial Agreement No. 180, published in Official Register 958, on 3 June 1996. The "Integrated Development for Campesino Women" project has made significant progress in the following areas: raising the profile of women's work and their contribution in the productive sphere; access for women to training and technical assistance services, self-management of organized groups, expansion of coverage, generation of incomes for the campesino family economy, women as leaders and representatives of their projects, access to community decision-making structures, and greater local, regional and national participation.

300. During 1992-1996, PRONADER implemented the "Land Titling by Gender" project, handing over a total of 12,500 property deeds in this period.

301. In coordination with MAG, the National Agriculture and Livestock Development Institute (INDA) and the Rural Development Programme, CONAMU conducted a study of land titling experiences, and drew up procedural proposals aimed at guaranteeing ownership rights for women in three of the 12 areas covered by PRONADER.

302. As part of the land titling validation process, a procedural handbook was prepared in conjunction with INDA, which covered conceptual and operating aspects of research and legal tools, together with training for

[90] Source: Ministry of Agriculture and Livestock, 1999.

the INDA operating team participating in the titling process.

Article 15

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to enter into contracts and administer assets, and they shall be accorded equal treatment in all stages of procedures in courts of law and tribunals.

3. States Parties agree that any contract or any other private instrument with legal effect that tends to restrict the legal capacity of women shall be considered null and void.

4. States Parties shall accord to men and women the same rights in regard to legislation on personal freedom of movement, and freedom to choose their residency and domicile.

303. The Ecuadorian Constitution clearly establishes the equality of women and men before the law, and the duty of the State to respect and enforce respect for human rights.

304. Reforms to the Civil Code introduced in Law 43 of 1989, form the legal basis for relations between spouses, as regards the following: equality of rights and duties, ordinary administration of the conjugal society, and assignment of property in making a will, among other issues.

305. Printed and visual media have mostly been used to disseminate women's rights, especially those enshrined in the Constitution, and the right to a life free from violence. The same media have also been used to publicize acts performed by the State and by women's movements on specific dates in the year, such as World Food Day, International Women's Day, etc.

306. Freedom of professional practice is guaranteed in Ecuador; women and men perform their professional activities under equal conditions. The Employment Protection Act initiated a reform of the Judicial Function Statute which introduced provisions requiring a minimum 20% quota for women as presiding judges, ordinary judges, notaries, registrars and other posts relating to the judicial function and justice administration.

307. Participation by women in the judicial branch in 1999 was as follows: [91]

Women Ministers of the Supreme Court	0%
Women presidents of superior courts	5.0%
Women ministers of superior courts	9.4%
Women ministers of district tribunals	6.1%
Women presidents of criminal courts	4.9%
Ordinary judges in criminal courts	13.4%
Public defence attorneys	18.2%
Civil judges	13.8%
Fiscal judges	0%
Rent tribunal judges	55.6%
Criminal judges	10.7%
Labour tribunal judges	35.5%
Traffic offence judges	13.5%

308. As the supervisory body for actions that discriminate against women, the Women and Children's Ombudsman plays a key role, as part of the General Ombudsman's office, in safeguarding, defending, promoting and ensuring that fundamental rights are upheld, especially for vulnerable social groups including women and children.

309. On 25 November 1998, CONAMU and the Parliamentary Commission for Women, Youth, Children and the Family, signed a cooperation agreement for the next two years. This intended to facilitate proposals for new codes and laws, along with reforms to existing legislation, setting up consultative committees, roundtables and working groups. Reforms relate to institutional priorities and aim to enhance the exercise of women's human rights.

310. Since 1989, legislative reforms have been made, particularly in the Civil Code, which broke a pattern of inequality existing in our legislation. The Constitution now reflects concern for gender problems among several sectors of political society; it has also raised awareness among society in general, leading to creation of the office of Women and Children's Ombudsman.

[91] CONAMU and INEC, *Mujeres y Hombres del Ecuador en Cifras*, 1999.

311. Article 1489 of the Civil Code establishes full legal capacity for women on equal terms with men, guaranteeing the principles of freedom of contract, and freedom of work, commerce and industry. Accordingly, in 1989, the Constitutional Guarantees Tribunal declared null and void those articles of the Commercial Code that prohibited women from acting as stockbrokers, public auctioneers and trade factors.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

(a) The same right to enter into marriage;

(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

(c) The same rights and responsibilities during marriage and at its dissolution;

(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

312. Article 37 of the Constitution of Ecuador guarantees the rights of the family as the fundamental cell of society. Marriage is based on the free consent of the contracting parties and on the equality of rights, obligations and legal capacity of the spouses. The same rights and obligations are upheld with respect to common-law unions outside marriage.

313. Under the law, both women and men can seek divorce and the dissolution of such conjugal society. The latter can be administered by either of the spouses, although the law establishes that where no specific declaration has been made, "it shall be understood" that the ordinary administrator of such conjugal society is the husband. There is no distinction in the legal value of evidence offered by women; women are equally empowered to be executor or administrator of any inheritance.

314. The women and men of Ecuador can freely enter into marriage and divorce. In 1997 marriage rates in different age groups were as follows:[92]

Age group (years)	*Women (%)*	*Men (%)*
15-19	31.95	
20-24	40.4	41.1
25-29	23.2	32.4
30-34		19.2

315. Divorce rates among women decline with age. The 30-34 year age group has the highest rate at 41.0%, followed by the 35-39 year olds (35.1%), and the 25-29 age group (35.0%).[93]

316. Several social development projects are being executed that focus on improving the situation of women, children and adolescents, in the family domain, particularly those directed by the Ministry of Social Welfare and the NGO movement. These projects include actions of awareness raising, training, and catering to the specific needs of family members in exercising their various rights; together with removal of all kinds of obstacle or barrier to their full development.

[92] The marriage rate is expressed per thousand inhabitants.

[93] The divorce rate is measured per ten thousand inhabitants.

317. Starting in 1995, in the context of applying the Beijing Declaration and Programme of Action, mass education campaigns were set in motion to promote women's human rights, especially with regard to their physical, psychological and sexual integrity, using radio, printed, visual and audiovisual media. Women have received support in upholding their legitimate rights particularly during the last ten years. Campaigns have centred around the Beijing Summit and promulgation of the Law to Combat Violence against Women, in 1995.

318. In 1998, to mark the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights, there was intense domestic activity to promote women's human rights, aimed at specific groups (students, police, teachers, deputies, social communicators of both sexes, officials of the Justice Department and leaders). Community and commercial radio stations, and others belonging to the police or development organizations, highlighted the world campaign called for by UNIFEM and the United Nations system.

319. Control over the age of marriage is exercised by the authorities of the Civil Registry. In Ecuador, the minimum age for marriage is 18 years old; in the case of minors, authorization is needed from the parents involved, or otherwise from the competent judge.

320. The various reforms already carried out, together with those that are ongoing, have made major strides on behalf of women, above all by promoting more equal family relations, and establishing equal rights for children and equal rights for both spouses.

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- Ombudsman's Office
- Women and Children's Ombudsman
- ESQUEL Foundation
- National Congress
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- Ecuadorian National Statistics and Census Institute (INEC)
- Inter-American Institute for Cooperation on Agriculture (IICA)
- National Agrarian Development Institute (INDA)
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Acronyms Used

CARC	Upper Cañar River Basin
CEOSL	Ecuadorian Confederation of Free Union Organizations
CIM	Inter-American Commission of Women
CODAE	Afro-Ecuadorian Peoples Development Council
CODENPE	Council for Development of the Nationalities and Peoples of Ecuador
CONADE	National Development Council
CONALMA	National Council for the Support of Breast-Feeding
CONAMU	National Council for Women
CONASIDA	National AIDS Prevention and Control Council
CTE	Ecuadorian Workers Confederation
DFC	Campesino Forestry Development
DINAMU	National Women's Department
DINAPEN	National Police Department for Children and Adolescents
DNI	Defence for Children International
EAP	Economically active population
ECV	Standard of Living Survey
FAO	United Nations Food and Agriculture Organization
FASBASE	Strengthening and expansion of basic health services in Ecuador
FEDAEPS	Ecuadorian Health Support Federation
FLACSO	Latin American Faculty of Social Sciences
FODECO	Community Development Fund
GDP	Gross domestic product
IDB	Intra-American Development Bank
IESS	Ecuadorian Social Security Institute
IICA	Intra-American Institute for Cooperation on Agriculture
ILDIS	Latin American Institute for Social Science Research
ILO	International Labour Organization
INEC	National Statistics and Census Institute
INNFA	National Institute for Children and the Family
IPEDS	Teacher training colleges
ISSFA	Armed Forces Social Security Institute

ISSPOL	Police Social Security Institute
MAG	Ministry of Agriculture and Livestock
MBS	Ministry of Social Welfare
MEC	Ministry of Education and Culture
MSP	Ministry of Public Health
NGO	Non-governmental organization
ODMU	Office for the Defence of Women's Rights
ORI	Operation child rescue
OSCIDE	Civil Service and Institutional Development Office
PAHO	Pan-American Health Organization
PDHS	Sustainable human development program
PIO	Equal opportunities plan
PROCALMUC	Literacy programme for improving living standards among campesino women
PROLOCAL	Sustainable local development programme
PRONADER	National rural development programme
PRONEPE	National alternative pre-school education programme
SENDA	National Administrative Development Secretariat
SIISE	Integrated System of Social Indicators of Ecuador
SIMUJERES	Integrated Women's System
SINEC	National Education and Culture System
SINIÑEZ	Integrated Childhood System
SISVAN	Technical cooperation Network on Food and Nutritional Surveillance Systems
SOLCA	Society for the Fight against Cancer
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
WHO	World Health Organization

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